

United States Court of Appeals for the Tenth Circuit
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MAR 11 2005

March 9, 2005

US BANKRUPTCY COURT
DISTRICT OF UTAH

Mr. Michael N. Zundel
Prince, Yeates & Geldzahler
175 E. 400 South
City Centre I, Suite 900
Salt Lake City, UT 84111

Re: 05-4041, Harmsen v. Harmsen
Dist/Ag docket: UT-04-042,

Dear Counsel:

This appeal was docketed today. Copies of the Tenth Circuit Rules, effective January 1, 2003, and the Federal Rules of Appellate Procedure, effective December 1, 2002, may be obtained by contacting this office or by visiting our website at www.ca10.uscourts.gov.

You should note the following requirements for prosecuting this appeal:

An attorney who files a notice of appeal has entered an appearance and may not withdraw without leave of the court.

Pursuant to 10th Cir. R. 3.4, the appellant is required to file and serve a docketing statement within ten days of filing the notice of appeal. If a docketing statement has not been filed already, it must be filed within ten days of the date of this letter.

Enclosed is an entry of appearance form. Attorneys must complete and file this form within ten days of the date of this letter. 10th Cir. R. 46.1(A). Pro se parties must complete and file the form within thirty days of the date of this letter. Appellant's failure to enter an appearance may cause the appeal to be dismissed. An appellee who fails to enter an appearance may not receive notice or service of orders.

Appellant is not required to file a designation of record, but is required to file an appendix with appellant's opening brief. See 10th Cir. R. 10.2(A) and 30.1.

Appellant's brief must be filed within 40 days of the date of this letter. Appellee's brief must be served 30 days after service of appellant's brief. Appellant may file a reply brief within 14 days after service of appellee's brief.

Briefs must satisfy all requirements of the Federal Rules of Appellate Procedure and Tenth Circuit Rules with respect to form and content. See specifically Fed. R. App. P. 28 and 32 and 10th Cir. R. 28.1, 28.2 and 32.1, as well as 31.4 when applicable. An original and 7 copies of briefs must be filed. See 10th Cir. R. 31.5. Appendixes must satisfy the requirements of 10th Cir. R. 30.1(A) and 30.1(C) and 2 copies must be filed. See 10th Cir. R. 30.1(D). Motions for extension to file must comply with 10th Cir. R. 27.3, 27.4(B), 27.4(E), where applicable, and 27.4(F). These motions are not favored.

Please contact this office if you have questions.

Sincerely,

PATRICK FISHER
Clerk

By: K. Schwalbe
Deputy Clerk

PF:kjs

cc:

Mona Lyman Burton
Steven A. Wuthrich
Barbara A. Schermerhorn
Bill Stillgebauer