

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK**

Byron White United States Courthouse
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Elisabeth A. Shumaker
Clerk of Court

March 07, 2019

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Mr. Matthew Charles Skurnik
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Civil Division, Commercial Litigation Branch
1100 L Street, NW
Washington, DC 20005

RE: 18-1453, Zzyym v. Pompeo, et al
Dist/Ag docket: 1:15-cv-02362-RBJ

Dear Counsel:

Appellants' brief is deficient because:

The attachments to the brief are not identified and included in the Table of Contents. Stating "Attachment 1" is not sufficient; the attachment must be clearly identified (i.e., "Attachment 1: District Court Judgment Filed mm/dd/yyyy)." *See* 10th Cir. R. 28.2(C)(5).

You may correct the stated deficiency by one of the following methods:

1. Filing a corrected brief with the clerk (filing constitutes submitting a corrected brief via the court's Electronic Case Filing system [ECF] and providing the clerk with seven hardcopies of the corrected brief).

2. Filing a corrected brief via ECF and making arrangements with the clerk's office to have the deficient hardcopies of the brief picked up and returned at the party's expense so that it can be corrected and returned to the clerk. The court will not pay postage or other costs.
3. Filing an errata sheet containing the omitted matter via ECF (use the event code "errata sheet filed"). You do not need to refile the brief, nor do you need to provide any paper copies of the attachment.

The appendix received in the subject case does not comply with the form requirements of 10th Cir. R. 30.1(D) (note that form requirements also apply to supplemental appendices). Specifically:

- The electronically filed appendix is not searchable. *See* 10th Cir. R. 25.3, 10th Cir. R. 30.1(D), and the 10th Circuit CM/ECF User's Manual at Section III G (page 19).
- The electronically filed appendix does not contain bookmarks. *See* 10th Cir. R. 25.3, 10th Cir. R. 30.1(D), and the 10th Circuit CM/ECF User's Manual at Section III G (page 19).
- There is no certificate indicating compliance with the court's ECF requirements. *See* 10th Cir. R. 25.3 and the 10th Circuit CM/ECF User's Manual at Section II J (page 11).

You must file a proper appendix as required by the rules. Please file a corrected appendix within 10 days of the date of this notice. The appendix must be accompanied by proof of service on all other parties to the appeal.

The time to file a response brief will run from the date of service of appellant's corrected brief and appendix.

If you fail to correct the stated deficiencies within 10 days of the date of this letter, the deficient brief and appendix will not be filed. In addition, the appeal may be dismissed without further notice. *See* 10th Cir. R. 42.1.

Please contact this office if you have questions.

Sincerely,

A handwritten signature in cursive script that reads "Elisabeth A. Shumaker". The signature is written in black ink and has a long, sweeping tail that extends to the right.

Elisabeth A. Shumaker
Clerk of the Court

cc: Paul David Castillo
Puneet Cheema
Emily Elizabeth Chow
Rory Collins
John T. Koehler
M. Dru Levasseur
Ann E. Prouty
Camilla Taylor

EAS/lab