

FEDERAL RULES OF APPELLATE PROCEDURE

LOCAL RULES and INTERNAL OPERATING PROCEDURES OF THE FOURTH CIRCUIT

CONTENTS

Rule 1.	Scope of Rules and Title	1-1
Rule 2.	Suspension of Rules	2-1
Rule 3.	Appeal as of Right - How Taken	3-1
	Loc. R. 3(a). Filing and Docket Fees	
	Loc. R. 3(b). Docketing Statement	
	I.O.P.-3.1. Transmission of District Court Order	
Rule 4.	Appeal as of Right - When Taken	4-1
Rule 5.	Appeal by Permission	5-1
	Loc. R. 5. Interlocutory Orders	
Rule 6.	Appeal in a Bankruptcy Case	6-1
	Loc. R. 6(a). Bankruptcy Records	
	I.O.P.-6.1. Bankruptcy Appeals	
Rule 7.	Bond for Costs on Appeal in a Civil Case	7-1
Rule 8.	Stay or Injunction Pending Appeal	8-1
	Loc. R. 8. Stay or Injunction Pending Appeal	
Rule 9.	Release in a Criminal Case	9-1
	Loc. R. 9(a). Release Prior to Judgment of Conviction	
	Loc. R. 9(b). Release After Conviction and Notice of Appeal	
	Loc. R. 9(c). Recalcitrant Witnesses	
Rule 10.	The Record on Appeal	10-1
	Loc. R. 10(a). Retention of the Record on Appeal in the District Court	
	Loc. R. 10(b). Records on Appeal	
	Loc. R. 10(c). Transcripts	
	Loc. R. 10(d). Supplemental Records, Modification, or Correction	

Rule 11.	Forwarding the Record	11-1
	Loc. R. 11(a). Transcript Acknowledgments	
	Loc. R. 11(b). Time Limits for Filing Transcripts	
	Loc. R. 11(c). Exhibits	
	Loc. R. 11(d). Access of Counsel to Original Record	
	I.O.P.-11.1. Sanctions for Court Reporter's Failure to File a Timely Transcript	
Rule 12.	Docketing the Appeal; Filing a Representation Statement; Filing the Record	12-1
	Loc. R. 12(a). Appeals by Aggrieved Non-parties in the Lower Court	
	Loc. R. 12(b). Joint Appeals/Cross-appeals and Consolidations	
	Loc. R. 12(c). Expedition of Appeals	
	Loc. R. 12(d). Abeyance	
	Loc. R. 12(e). Intervention	
Rule 12.1.	Remand After an Indicative Ruling by the District Court on a Motion for Relief That Is Barred by a Pending Appeal	12-3
Rule 13.	Appeals from the Tax Court	13-1
Rule 14.	Applicability of Other Rules to Appeals from the Tax Court	14-1
Rule 15.	Review or Enforcement of an Agency Order - How Obtained; Intervention	15-1
	Loc. R. 15(a). Docketing Fee	
	Loc. R. 15(b). Petitions for Review	
Rule 15.1.	Briefs and Oral Argument in a National Labor Relations Board Proceeding	15-3
Rule 16.	The Record on Review or Enforcement	16-1
Rule 17.	Filing the Record	17-1
Rule 18.	Stay Pending Review	18-1
	Loc. R. 18. Procedures	
Rule 19.	Settlement of a Judgment Enforcing an Agency Order in Part	19-1
Rule 20.	Applicability of Rules to the Review or Enforcement of an Agency Order	20-1

Rule 21.	Writs of Mandamus and Prohibition, and Other Extraordinary Writs	21-1
	Loc. R. 21(a). Case Captions for Extraordinary Writs	
	Loc. R. 21(b). Petitions for Mandamus or Prohibition	
	Loc. R. 21(c). Fees and Costs for Prisoner Petitions for Mandamus, Prohibition, or other Extraordinary Relief	
	Loc. R. 21(d). Petitions for Writ of Mandamus Pursuant to 18 U.S.C. § 3771, Crime Victims' Rights	
Rule 22.	Habeas Corpus and Section 2255 Proceedings	22-1
	Loc. R. 22(a). Certificates of Appealability	
	Loc. R. 22(b). Death Penalty Cases and Motions for Stay of Execution	
	Loc. R. 22(c). Petitions for Rehearing in Death Penalty Cases	
	Loc. R. 22(d). Motions for Authorization	
	I.O.P.-22.1. Death Penalty Cases	
Rule 23.	Custody or Release of a Prisoner in a Habeas Corpus Proceeding	23-1
Rule 24.	Proceeding in Forma Pauperis	24-1
	Loc. R. 24. Prisoner Appeals	
Rule 25.	Filing and Service	25-1
	Loc. R. 25(a). Electronic Case Filing System	
	Loc. R. 25(b). Use of Facsimile Equipment, Service, Certificate of Service	
	Loc. R. 25(c). Confidential and Sealed Materials	
Rule 26.	Computing and Extending Time	26-1
	Loc. R. 26. State Holidays and Inclement Weather	
Rule 26.1.	Corporate Disclosure Statement	26-3
	Loc. R. 26.1. Disclosure of Corporate Affiliations and Other Entities with a Direct Financial Interest in Litigation	
Rule 27.	Motions	27-1
	Loc. R. 27(a). Content of Motions; Notification and Consent	
	Loc. R. 27(b). Procedural Orders Acted on by Clerk; Reconsideration Thereof	
	Loc. R. 27(c). Form of Motions	
	Loc. R. 27(d). Responses; Replies	
	Loc. R. 27(e). Panel Assignments and Emergency Motions	
	Loc. R. 27(f). Motions for Summary Disposition	

Rule 28.	Briefs	28-1
	Loc. R. 28(a). Consolidated Cases and Briefs	
	Loc. R. 28(b). Addenda and Attachments to Briefs	
	Loc. R. 28(c). Responsibilities of Counsel Listed on a Brief	
	Loc. R. 28(d). Joint Appeals and Consolidations	
	Loc. R. 28(e). Citation of Additional Authorities	
	Loc. R. 28(f). Statement of Case	
Rule 28.1	Cross-Appeals	28-5
Rule 29.	Brief of an Amicus Curiae	29-1
	Loc. R. 29. Copies of Amicus Briefs	
Rule 30.	Appendix to the Briefs	30-1
	Loc. R. 30(a). Attorney Sanctions for Unnecessary Appendix Designations	
	Loc. R. 30(b). Appendix Contents; Number of Copies	
	Loc. R. 30(c). Responsibility of Parties	
	Loc. R. 30(d). Dispensing with Appendix	
Rule 31.	Serving and Filing Briefs	31-1
	Loc. R. 31(a). Shortened Time for Service and Filing of Briefs in Criminal Cases	
	Loc. R. 31(b). Briefing Orders	
	Loc. R. 31(c). Briefing Extensions	
	Loc. R. 31(d). Number of Copies	
Rule 32.	Form of Briefs, Appendices, and Other Papers	32-1
	Loc. R. 32(a). Reproduction of Appendices	
	Loc. R. 32(b). Length of Briefs	
	Loc. R. 32(c). Correction of Briefs and Appendices	
Rule 32.1	Citing Judicial Dispositions	32-5
	Loc. R. 32.1 Citing of Unpublished Opinions	
Rule 33.	Appeal Conferences	33-1
	Loc. R. 33. Circuit Mediation Conferences	
Rule 34.	Oral Argument	34-1
	Loc. R. 34(a). Oral Argument; Pre-argument Review and Summary Disposition of Appeals; Statement Regarding the Need for Oral Argument	
	Loc. R. 34(b). Informal Briefs	
	Loc. R. 34(c). Court Sessions and Notification to Counsel	
	Loc. R. 34(d). Argument Time	
	Loc. R. 34(e). Motion to Submit on Briefs	

	I.O.P.-34.1. Calendar Assignments and Panel Composition	
	I.O.P.-34.2. Disposition Without Oral Argument	
	I.O.P.-34.3. Audio Files of Oral Argument	
Rule 35.	En Banc Determination	35-1
	Loc. R. 35. En Banc Proceedings	
Rule 36.	Entry of Judgment; Notice	36-1
	Loc. R. 36(a). Publication of Decisions	
	Loc. R. 36(b). Unpublished Dispositions; Opinion Distribution	
	I.O.P.-36.1. Opinion Preparation Assignments	
	I.O.P.-36.2. Circulation of Opinions in Argued Cases	
	I.O.P.-36.3. Summary Opinions	
	I.O.P.-36.4. Internet Citations in Opinions	
Rule 37.	Interest on Judgment	37-1
Rule 38.	Frivolous Appeal - Damages and Costs	38-1
Rule 39.	Costs	39-1
	Loc. R. 39(a). Reproduction Costs	
	Loc. R. 39(b). Bill of Costs	
	Loc. R. 39(c). Recovery of Costs in the District Court	
Rule 40.	Petition for Panel Rehearing	40-1
	Loc. R. 40(a). Filing of Petition	
	Loc. R. 40(b). Statement of Purpose	
	Loc. R. 40(c). Time Limits for Filing Petitions	
	Loc. R. 40(d). Papers Filed After Denial of a Petition for Rehearing	
	I.O.P.-40.1. Submission of Petitions for Rehearing to the Court	
	I.O.P.-40.2. Panel Rehearing	
Rule 41.	Mandate: Contents; Issuance and Effective Date; Stay	41-1
	Loc. R. 41. Motion for Stay of the Mandate	
	I.O.P.-41.1. Issuance of the Mandate	
	I.O.P.-41.2. Petitions for Writs of Certiorari	
Rule 42.	Voluntary Dismissal	42-1
	Loc. R. 42. Voluntary Dismissals	
Rule 43.	Substitution of Parties	43-1
Rule 44.	Case Involving a Constitutional Question When the United States or the Relevant State is Not a Party	44-1

Rule 45.	Clerk’s Duties Loc. R. 45. Dismissals for Failure to Prosecute I.O.P.-45.1. Clerk's Office I.O.P.-45.2. Public Information	45-1
Rule 46.	Attorneys Loc. R. 46(a). Legal Assistance to Indigents by Law Students Loc. R. 46(b). Admission to Practice Loc. R. 46(c). Appearance of Counsel; Withdrawal; Substitutions Loc. R. 46(d). Appointment of Counsel Loc. R. 46(e). Attorney's Fees and Expenses Loc. R. 46(f). Proceeding Pro Se Loc. R. 46(g). Rules of Disciplinary Enforcement	46-1
Rule 47.	Local Rules by Courts of Appeals Loc. R. 47(a). Procedures for Adoption of Local Rules and Internal Operating Procedures Loc. R. 47(b). Advisory Committee on Rules and Procedures I.O.P.-47.1. Judicial Conference I.O.P.-47.2. Bar Membership in the Judicial Conference of the Circuit	47-1
Rule 48.	Masters	48-1
Appendix	Length Limits Stated in the Federal Rules of Appellate Procedure	