## FEDERAL RULES OF APPELLATE PROCEDURE

## LOCAL RULES and INTERNAL OPERATING PROCEDURES OF THE FOURTH CIRCUIT

## **CONTENTS**

Rule 1.	Scope of Rules and Title	
Rule 2.	Suspension of Rules	2-1
Rule 3.	Appeal as of Right - How Taken Loc. R. 3(a). Filing and Docket Fees Loc. R. 3(b). Docketing Statement I.O.P3.1. Transmission of District Court Order	3-1
Rule 4.	Appeal as of Right - When Taken	
Rule 5.	Appeal by Permission Loc. R. 5. Interlocutory Orders	
Rule 6.	Appeal in a Bankruptcy Case Loc. R. 6(a). Bankruptcy Records I.O.P6.1. Bankruptcy Appeals	6-1
Rule 7.	Bond for Costs on Appeal in a Civil Case	
Rule 8.	Stay or Injunction Pending Appeal Loc. R. 8. Stay or Injunction Pending Appeal	
Rule 9.	Release in a Criminal Case 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	9-1
Rule 10.	The Record on Appeal 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	<b>10-1</b>

Rule 11.	Forwarding the Record Loc. R. 11(a). Transcript Acknowledgments Loc. R. 11(b). Time Limits for Filing Transcripts Loc. R. 11(c). Exhibits	11-1
	Loc. R. 11(d). Access of Counsel to Original Record I.O.P11.1. Sanctions for Court Reporter's Failure to File a Timely Transcript	
Rule 12.	Docketing the Appeal; Filing a Representation Statement; Filing the Record 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	12-1
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 Loc. R. 15(a). Docketing Fee Loc. R. 15(b). Petitions for Review	15-1
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 Loc. R. 18. Procedures	18-1
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		
	Extraordinar	ry 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 Mandami	us,
	. ,	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
	-	Certificates of Appealability	
	` '	Death Penalty Cases and Motions for Stay of	
	<b>\</b>	Execution	
	Loc. R. 22(c).	Petitions for Rehearing in Death Penalty Cases	
		Motions for Authorization	
		Death Penalty Cases	
Rule 23.	Custody or Release of a Prisoner in a Habeas Corpus		
	Proceeding	•	23-1
Rule 24.	Proceeding in	ı Forma Pauperis	24-1
	_	Prisoner Appeals	
Rule 25.	Filing and Service		25-1
	Loc. R. 25(a).	Electronic Case Filing System	
	Loc. R. 25(b).	Use of Email or Facsimile: Service	
	` '	Confidential and Sealed Materials	
Rule 26.	Computing a	nd Extending Time	26-1
	Loc. R. 26.	State Holidays and Inclement Weather	
Rule 26.1.	Disclosure Statement 2		26-3
	Loc. R. 26.1.	Disclosure Statement	
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	
	Loc. R. 28(g). Citations to the Appendix	
	Loc. R. 26(g). Citations to the Appendix	
<b>Rule 28.1</b>	Cross-Appeals	28-5
Rule 29.	Brief of an Amicus Curiae	29-1
1tuic 25.	Loc. R. 29(a). Leave to File Amicus Briefs	
	Loc. R. 29(b). Copies of Amicus Briefs	
	Loc. R. 25(b). Copies of Affiliates Briefs	
Rule 30.	Appendix to the Briefs	30-1
	Loc. R. 30(a). Attorney Sanctions for Unnecessary Appendix	
	Designations Designations	
	Loc. R. 30(b). Appendix Contents; Pagination; Number of Copies	
	Loc. R. 30(c). Responsibility of Parties	
	Loc. R. 30(d). Dispensing with Appendix	
	Loc. R. 30(d). Dispensing with Appendix	
Rule 31.	Serving and Filing Briefs	
	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	
	Loc. R. 31(d). Number of Copies	
Rule 32.	Form of Briefs, Appendices, and Other Papers 3	
	Loc. R. 32(a). Reproduction of Appendices	
	Loc. R. 32(b). Length of Briefs	
	Loc. R. 32(c). Correction of Briefs and Appendices	
	200. It. 32(0). Confection of Bileis and Appendices	
<b>Rule 32.1</b>	Citing Judicial Dispositions	32-5
	Loc. R. 32.1 Citing of Unpublished Opinions	
	zeevittivzvi eining er empuennen epinnenn	
Rule 33.	Appeal Conferences	33-1
	Loc. R. 33. Circuit Mediation Conferences	
	200, 10 33. Chemi Monamon Comercines	
Rule 34.	Oral Argument	
	Loc. R. 34(a). Oral Argument; Pre-argument Review and	34-1
	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. IX. 34(c). Court sessions and nonneation to Counsel	

	Loc. R. 34(e). I.O.P34.1.	Argument Time Motion to Submit on Briefs Calendar Assignments and Panel Composition	
	I.O.P34.2. I.O.P34.3	Disposition Without Oral Argument Audio Files of Oral Argument	
Rule 35.	En Banc Dete Loc. R. 35.	ermination En Banc Proceedings	35-1
Rule 36.	Entry of Judg	gment; Notice	36-1
	Loc. R. 36(b).	Publication of Decisions Unpublished Dispositions; Opinion Distribution	
	I.O.P36.1. I.O.P36.2.		
	I.O.P36.3. I.O.P36.4.	<b>J</b> 1	
Rule 37.	Interest on Ju	udgment	37-1
Rule 38.	. Frivolous Appeal - Damages and Costs		38-1
Rule 39.	Loc. R. 39(b).	Reproduction Costs Bill of Costs Recovery of Costs in the District Court	39-1
Rule 40.	Loc. R. 40(a). Loc. R. 40(b). Loc. R. 40(c). Loc. R. 40(d). I.O.P40.1.	Fanel Rehearing Filing of Petition Statement of Purpose Time Limits for Filing Petitions Papers Filed After Denial of a Petition for Rehear Submission of Petitions for Rehearing to the Cour	_
Rule 41.	Loc. R. 41. I.O.P41.1.	Motion for Stay of the Mandate Issuance of the Mandate Petitions for Writs of Certiorari	41-1
Rule 42.	Voluntary Di Loc. R. 42.	smissal Voluntary Dismissals	42-1
Rule 43.	Substitution	of Parties	43-1
Rule 44.		ng a Constitutional Question When the United Relevant State is Not a Party	44-1

Rule 45.	Clerk's Duties		45-1
	Loc. R. 45.	Dismissals for Failure to Prosecute	
	I.O.P45.1.	Clerk's Office	
	I.O.P45.2.	Public Information	
Rule 46.	Attorneys		46-1
	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	
	` '	Attorney's Fees and Expenses	
	` '	Proceeding Pro Se	
	* *	Rules of Disciplinary Enforcement	
Rule 47.	Local Rules by Courts of Appeals		47-1
	Loc. R. 47(a).	Procedures for Adoption of Local Rules and Internal Operating Procedures	
	Loc P 47(b)	Advisory Committee on Rules and Procedures	
		Judicial Conference	
		Membership in the Judicial Conference of	
	1.0.14/.2.	the Circuit	
Rule 48.	Masters		48-1
Appendix	Length Limit	s Stated in the Federal Rules of Appellate Proced	ure