

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Leonard Green
Clerk

100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000
www.ca6.uscourts.gov

Filed: June 08, 2011

Mr. Ronald Douglas Wells
Robinson, Smith & Wells
633 Chestnut Street
Suite 700
Chattanooga, TN 37450

Re: Case No. 11-5284, *Roy Denton v. Steve Rievley*
Originating Case No. : 07-00211

Dear Mr. Wells,

The brief which you submitted to the court does not comply with the Federal Rules of Appellate Procedure or Sixth Circuit Rules - the specific item or items to be corrected have been marked on the enclosed checklist.

The corrected brief must be filed by **June 13, 2011**. For docketing purposes when filing the corrected briefs, select the Event Category of "Briefing", followed by "corrected brief". If you have any questions, please contact the clerk's office for assistance.

Sincerely yours,

s/Linda M. Niesen
Case Manager
Direct Dial No. 513-564-7038

cc: Roy L. Denton

Enclosure

CHECKLIST FOR BRIEFS

ECF FUNDAMENTALS:

- Briefs filed ECF unless filer is pro se or attorney with a waiver for ECF filings
- PDF format required
- Native PDF format strongly preferred
- In consolidated cases (excluding cross-appeals), appellants should un-check the case number(s) that is/are not their case. The appellant's brief should appear only on the docket of his/her specific appeal.
- Title of brief (example "Appellant's Brief")
- Name(s) and address(es) of counsel filing the brief

COVER OF BRIEF (Fed. R. App. P. 32(a)(2)):

- Sixth Circuit case number
- Heading: "United States Court of Appeals for the Sixth Circuit"
- Title of case
- Nature of proceeding and name of court, agency or board below
- Title of brief (example "Appellant's Brief")
- Name(s) and address(es) of counsel filing the brief

CONTENTS (Fed. R. App. P. 28, 6th Cir. R. 28):

- Corporate Disclosure Form
- Table of Contents
- Table of Authorities with page references (with cases alphabetically arranged, statutes and other authorities)
- Statement in support of oral argument** (if there is no statement, argument is waived)
- ***Page limitation, word or line count begins here. See Fed. R. App. P 32(a)(7)
- Jurisdictional statement
- Statement of issues
- Statement of the case
- Statement of facts **with references to record** (and appendix for any relevant pleadings not available ECF)

References to lower court, agency record or appendix if one is required must be clear. Abbreviations may be used such as R or RE for district court record entry number on docket or TR for transcript or AR for administrative record. **The word "Doc" or "DE" is not an acceptable description.** Examples:

RE #21, Appellant's Motion for Summary Judgment, pp. 2-5
RE #53, Plaintiff's Trial Testimony, p. 1
R. No. 44, Plea Agreement
R. No. 27, TR. Jury Trial 12/5/03, pp. 77 - 85
A.R. at pp. 190-191
RE. 33: Trial Tr. 8/30/04 at pp. 7, 89, 112-113

- ___ Summary of argument
- ___ Argument **with references to record and citations to case law, statutes and other authorities**
- ___ Standard of review (for each issue which may appear in discussion of each issue or under separate heading placed before discussion of issues)
- ___ Signed conclusion
 - Signature format is: s/(attorney's name)
 - Graphic or other electronic signatures discouraged
 - ****Page limitation, word or line count ends here.
- ___ Certificate of Compliance, if required by Fed. R. App. P. 32(a)(7)C)
- ___ Dated Certificate of Service
- Designation of Relevant District Court Documents**
- ___ Other Addendum contents allowed by Fed. R. App. P. 28(f) or 6th Cir. R. 28.
Addendum may **not** contain any items from lower court record or appendix.

TYPEFACE AND LENGTH (See Fed. R. App. 32(a)(5) and (a)(7):

- ___ Typeface either proportionally-spaced font at 14 point (such as CG Times or Times New Roman) or monospaced font at 12 point (such as Courier New).

Times New Roman at 14 point Courier New at 12 point

- ___ Length for principal briefs: 30 pages OR up to 14,000 words (proportional fonts) OR up to 1300 lines (monospaced font)
- ___ Length for reply brief: 15 pages OR up to 7,000 words (proportional fonts) OR up to 650 lines (monospaced font)
- ___ Briefs using the 14,000 word or 1300 line limits must include word or line count in certificate of compliance (see Fed. R. App. P. 32(a)(7)(C))
- ___ Headings, footnote and quotations count toward word or line limitations
- ___ For Death Penalty briefs, see 6th Cir. R. 22(c)(8)

- ___ For Cross-Appeals, see Fed. R. App. P. 28.1
- ___ For Amicus briefs, see Fed. R. App. P. 29 and 32

MISCELLANEOUS:

- ___ Personal information must be redacted from the brief - see Fed. R. App. P. 25(a)(5) for specifics. When filing a brief, the ECF system will require attorneys to verify that personal information has been redacted.
- x **Footnotes must be same sized text as body of brief**
- ___ Pages serially paginated
- ___ Text double-spaced
- ___ Margins: at least 1" on all four sides