

0.0.09 | INFORMAL BRIEFING

Local Rule 34(b) provides for informal briefing in any case in which at least one party is proceeding pro se. The informal briefing schedule calls for the filing of briefs as follows:

- Informal opening brief - within 21 days after service of the informal briefing order
- Informal response brief - within 14 days after service of the informal opening brief
- Informal reply brief - within 10 days after service of the informal response brief

Appellant's informal brief and any informal response and reply briefs filed by the parties are considered, together with the record, by the panel to which the proceeding has been referred. The court will limit its review to the issues raised in the informal brief.

The clerk provides an informal brief form to be used by the parties. The form asks for the issues on appeal and the supporting facts and argument. The parties need not limit their briefs solely to the form. An additional supporting memorandum may be attached, but the informal brief and any supporting memorandum cannot exceed the length limitations established for formal briefs (up to 30 pages if handwritten or prepared on a typewriter). It is unnecessary to attach record excerpts since the record is before the Court. It is not necessary to cite cases in an informal brief. One brief is filed with the court and copies are served on the other parties to the case. Loc. R. 34(b)

If the appellant fails to file an informal opening brief, the appeal is subject to dismissal in accordance with Local Rule 45.

(4th Circuit Court of Appeals // December 2023)