

1.4.05 | SEALED VOLUME OF APPENDIX/SUPPLEMENTAL APPENDIX

If sealed record material needs to be included in the appendix, it must be placed in a separate, sealed volume of the appendix and filed with a certificate of confidentiality. In consolidated criminal cases in which presentence reports are being filed for multiple defendants, each presentence report must be placed in a separate, sealed volume served only on Government counsel and counsel for the defendant who is the subject of the report.

- Use ECF event-SEALED JOINT APPENDIX (court access) and SEALED SUPPLEMENTAL APPENDIX (court access) to file sealed electronic appendix volume(s). Cover of sealed appendix volume must be marked SEALED, and paper copies must be placed in envelopes marked SEALED. Sealed volume must be served on other parties outside ECF.
- Use ECF event-Certificate of confidentiality to identify authority for treating material as sealed and to identify who may have access to sealed material. A paper copy of the certificate of confidentiality must accompany the paper copy of the sealed appendix filed with the court.
- Use ECF event-JOINT APPENDIX and SUPPLEMENTAL APPENDIX to file public electronic appendix volumes(s).

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

