

3.1.01 | MOTION LENGTH & CONTENT

A motion cannot exceed 5,200 words (20 pages if handwritten or typewritten), exclusive of any cover page, disclosure statement, table of contents, table of citations, signature block, certificates of counsel, and attachments. A certificate of compliance with type-volume limit is required if produced by computer. Fed. R. App. P. 27(d).

A motion must state with particularity the grounds for the motion, the relief sought, and the legal argument necessary to support it. Fed. R. App. P. 27(a)(2)(A). A motion seeking substantive relief must include a copy of the trial court's opinion or agency decision as a separate exhibit. Fed. R. App. P. 27(a)(2)(B). A separate brief supporting a motion must not be filed; neither a notice of motion nor a proposed order is required. Fed. R. App. P. 27(a)(2)(C). A disclosure statement must accompany the motion unless previously filed with the court. Loc. R. 27(c). Parties should not make requests for procedural and substantive relief in a single motion but should make each request in a separate motion. Loc. R. 27(c).

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

