

3.2.06 | MOTIONS TO DISMISS

To avoid unnecessary briefing of the case on the merits, motions to dismiss on jurisdictional or other procedural grounds should be filed within the time allowed for the filing of the response brief. Loc. R. 27(f). The clerk's office will obtain a response, and the motion and response will be referred to a randomly selected motions panel.

Briefing is not automatically stayed upon filing of a motion to dismiss. Accordingly, counsel wishing a stay of the briefing schedule should file a motion to suspend briefing pending disposition of the motion to dismiss.

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

