

**United States District Court for the Northern  
District of New York**

File Number \_\_\_\_\_

\_\_\_\_\_,  
\_\_\_\_\_) Plaintiff(s) )  
\_\_\_\_\_) )  
\_\_\_\_\_) )  
v. )  
\_\_\_\_\_) )  
\_\_\_\_\_) Defendant(s) )

**Notice of Appeal**

Notice is hereby given that \_\_\_\_\_ (plaintiffs)(defendants)  
in the above case, hereby appeals to the United States Court of Appeals for the 2nd. Circuit  
(from the final judgment) (from the order) entered in this action on the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_.

(S) \_\_\_\_\_  
Attorney for \_\_\_\_\_

Address \_\_\_\_\_

UNITED STATES COURT OF APPEALS  
SECOND CIRCUIT - CIVIL APPEAL PRE-ARGUMENT STATEMENT

1. See Notice on reverse.
2. Please type or print.
3. Attach additional pages if necessary.

TITLE IN FULL:	District	Judge	District Court Docket Number(s)
	Date Filed in District Court	Date Notice of Appeal Filed	
	Approx. Number of Pages in Transcript	Number of Exhibits	Has Transcript been made? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Is this a Cross Appeal? <input type="checkbox"/> Yes <input type="checkbox"/> No		
	Has this matter been before this court previously? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, state:		
	Case Name:		Citation:
	Docket Number:		

ATTORNEY(S) FOR:	NAME	ADDRESS	TELEPHONE
Appellant: (Specify Name) <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant			
Appellee: (Specify Name) <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant			

A. JURISDICTION		1. Stage of Proceedings	B. DISTRICT COURT DISPOSITION (Check as many as apply)		
1. Federal	2. Appellate	2. Type of Judgment/Order Appealed	3. Relief		
<input type="checkbox"/> U.S. a party	<input type="checkbox"/> Final decision below	<input type="checkbox"/> Pre-trial	<input type="checkbox"/> Default judgment	<input type="checkbox"/> Judgment/court decision	<input type="checkbox"/> Damages:
<input type="checkbox"/> Federal question (U.S. not a party)	<input type="checkbox"/> Interlocutory decision appealable as of right	<input type="checkbox"/> During trial	<input type="checkbox"/> Dismissal/jurisdiction	<input type="checkbox"/> Jury verdict	<input type="checkbox"/> Sought: \$ _____
<input type="checkbox"/> Diversity	<input type="checkbox"/> Order certified by District Judge (specify):	<input type="checkbox"/> After trial	<input type="checkbox"/> Dismissal/merits	<input type="checkbox"/> Judgment NOV	<input type="checkbox"/> Denied: \$ _____
<input type="checkbox"/> Other (specify):	<input type="checkbox"/> Other (specify):		<input type="checkbox"/> Summary judgment	<input type="checkbox"/> Directed verdict	<input type="checkbox"/> Injunctions:
			<input type="checkbox"/> Declaratory judgment	<input type="checkbox"/> Other (specify):	<input type="checkbox"/> Preliminary <input type="checkbox"/> Permanent
					<input type="checkbox"/> Granted <input type="checkbox"/> Denied

C. NATURE OF SUIT (Check as many as apply)					
1. Federal Statutes	2. Torts	3. Contracts	4. Prisoner	5. Other	6. General
<input type="checkbox"/> Antitrust	<input type="checkbox"/> Communications	<input type="checkbox"/> Freedom of Information	<input type="checkbox"/> Civil rights	<input type="checkbox"/> Forfeiture/ Penalty	<input type="checkbox"/> Arbitration
<input type="checkbox"/> Bankruptcy	<input type="checkbox"/> Consumer protection	<input type="checkbox"/> Immigration	<input type="checkbox"/> Habeas Corpus	<input type="checkbox"/> Real Property	<input type="checkbox"/> Attorney Disqualifctn.
<input type="checkbox"/> Banks/Banking	<input type="checkbox"/> Copyright <input type="checkbox"/> Patent	<input type="checkbox"/> Labor	<input type="checkbox"/> 2254	<input type="checkbox"/> Treaty (specify):	<input type="checkbox"/> Class action
<input type="checkbox"/> Civil Rights	<input type="checkbox"/> Election	<input type="checkbox"/> OSHA	<input type="checkbox"/> 2255	<input type="checkbox"/> Other (specify):	<input type="checkbox"/> Counsel fees
<input type="checkbox"/> Commerce, routes, and tariffs	<input type="checkbox"/> Energy	<input type="checkbox"/> Securities	<input type="checkbox"/> Mandamus		<input type="checkbox"/> Shareholder derivative
<input type="checkbox"/> Commodities	<input type="checkbox"/> Environmental	<input type="checkbox"/> Soc. Security	<input type="checkbox"/> Parole		<input type="checkbox"/> Transfer
<input type="checkbox"/> Other (specify):	<input type="checkbox"/> Tax	<input type="checkbox"/> Defamation	<input type="checkbox"/> Vacate sentence		
		<input type="checkbox"/> FELA	<input type="checkbox"/> Other		
		<input type="checkbox"/> Product Liability/Warranty			
		<input type="checkbox"/> Other			

7. Will appeal raise a constitutional issue?  Yes  No      Will appeal raise a matter of first impression?  Yes  No

BRIEF DESCRIPTION OF NATURE OF ACTION AND RESULT BELOW:

ISSUES PROPOSED TO BE RAISED ON APPEAL:

Is any matter relative to this case pending below?  Yes  No (specify):  
 To your knowledge, is there any case now pending or about to be brought before this court or any other court or administrative agency which:  
 (A) Arises from substantially the same case or controversy as this appeal?  Yes  No  
 (B) Involves an issue that is substantially the same, similar, or related to an issue in this appeal?  Yes  No  
 If yes, state whether  "A"  "B"  or both, and provide:

Case Name:	Docket Number:	Citation:	Court or Agency:
Name of Appellant			
Date	Signature of Counsel of Record		

### NOTICE TO COUNSEL AND PRO SE LITIGANTS

Once you have filed your Notice of Appeal with the District Court or the Tax Court and have paid the \$5 filing fee, you have only ten (10) days in which to docket your appeal. You must take the following steps within those ten (10) days.

1. Complete the Civil Appeal Pre-Argument Statement (Form C) which appears on the reverse side of this notice, serve it upon all other parties, and file it with the Clerk of the Court of Appeals.
2. File the Court of Appeals Transcript Information/Civil Appeal Form (Form D) with the Clerk of the Court of Appeals.
3. Pay the \$100 docketing fee to the Clerk of the United States District Court, unless you are authorized to prosecute the appeal without payment.

**IF YOU DO NOT COMPLY WITH THESE REQUIREMENTS WITHIN TEN (10) DAYS YOUR APPEAL WILL BE DISMISSED.**

SEE CIVIL APPEALS MANAGEMENT PLAN  
OF THE  
UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

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### NOTICE CONCERNING DISCLOSURE OF INTERESTED PARTIES

Rule 0.15 of the local rules of this Court supplementing the Federal Rules of Appellate Procedure provides as follows:

#### 0.15 Disclosure of interested parties.

To enable the judges of the court to evaluate possible disqualification, counsel for all private (nongovernment) parties, in an appeal, or in a motion or other proceeding related to an appeal, shall in all cases submit when such party's initial brief is due, or upon request of the Clerk, an identification of any corporate parent of the party.

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

TRANSCRIPT INFORMATION  
CIVIL APPEAL

To be completed by counsel for appellant in civil appeal from district court within ten days after filing notice of appeal.

THIS SECTION TO BE COMPLETED BY COUNSEL FOR APPELLANT		
<b>CASE TITLE</b>	<b>DISTRICT</b>	<b>DOCKET NUMBER</b>
	<b>JUDGE</b>	<b>APPELLANT</b>
	<b>COURT REPORTER</b>	<b>COUNSEL FOR APPELLANT</b>
<b>TRANSCRIPT ORDER – Must be completed</b>		
<b>DESCRIPTION OF PROCEEDINGS FOR WHICH TRANSCRIPT IS REQUIRED (INCLUDE DATES)</b>  I am ordering a transcript. I am not ordering a transcript. Reason: <input type="checkbox"/> Daily copy is available. <input type="checkbox"/> Other. Attach explanation.	<b>METHOD OF PAYMENT</b> <input type="checkbox"/> Funds <input type="checkbox"/> CJA Voucher (CJA 21)	
<input type="checkbox"/> PREPARE TRANSCRIPT OF PRE-TRIAL PROCEEDINGS <input type="checkbox"/> PREPARE TRANSCRIPT OF TRIAL <input type="checkbox"/> PREPARE TRANSCRIPT OF OTHER POST-TRIAL PROCEEDINGS <input type="checkbox"/> PREPARE (OTHER SPECIFY)	<b>DELIVER TRANSCRIPT TO: (NAME, ADDRESS, TELEPHONE)</b>	
<p>I certify that I have made satisfactory arrangements with the court reporter for payment of the cost of the transcript. (FRAP 10(b)). I understand that unless I have already ordered the transcript, I shall order its preparation at the time required by the Civil Appeals Management Plan, F.R.A.P. and the local rules.</p>		
<b>COUNSEL'S SIGNATURE</b>		<b>DATE</b>
<b>COURT REPORTER ACKNOWLEDGEMENT</b> To be completed by court reporter. Return one copy to clerk, U.S. Court of Appeals.		
<b>DATE ORDER RECEIVED</b>	<b>ESTIMATED COMPLETION DATE</b>	<b>ESTIMATED NUMBER OF PAGES</b>
<b>SIGNATURE OF COURT REPORTER</b>		<b>DATE</b>