

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT
QUICK REFERENCE GUIDE | CRIMINAL MOTIONS

	Motion to Extend Time	Motion for Release (Bail Motion)	Motion to Enforce Appeal Waiver	Motion to Withdraw as Counsel	Motion to Continue as Counsel	Motion to Voluntarily Dismiss (incl. Post Conviction)
Rule(s)	10th Cir. R. 27.6	FRAP 9; 10th Cir. R. 9	10th Cir. R. 27.3(A)(1)(d)	10th Cir. R. 46.4(A) & (B)	10th Cir. R. 46.3(B)(2)	10th Cir. R. 46.3(C)
Conferral	10th Cir. R. 27.1	N/A				
Length	Per FRAP 27(d)(2): Motion and response must not exceed 20 pages (handwritten or typewritten) or 5,200 words (produced using a computer), and a reply may not exceed 10 pages (handwritten or type written) or 2,600 words (produced using a computer).					
Form & Font	FRAP 27(d)(1)(A) through (E)					
Format	FRAP 27(d)(1)					
Typeface	FRAP 27(d)(1)					
Type Style	FRAP 27(d)(1)					
Hard Copies	Per 10th Cir. R. 27.2, paper copies of electronically-filed motions are not required.					
Emergencies	Motions requesting emergency relief (within 48 hours) require advance notice to the Clerk’s Office.					
Time to File	3 days before deadline you seek to extend per 10th Cir. R. 27.6(B)	Expedited Proceeding - Per 10th Cir. R. 9.2 memorandum & electronic appendix due within 14 days of filing notice of appeal or motion for release; response due 14 days later per 10th Cir R. 9.3	Per 10th Cir. R. 27.3(A)(3)(b), motion is due 20 days after notice that the record is complete or the district court is transmitting the record	10th Cir. R. 46.3(B)(1) and (2) require appointed counsel to file either a motion to withdraw or motion for continued appointment within 14 days of case opening	10th Cir. R. 46.3(B)(1) and (2) require appointed counsel to file either a motion to withdraw or motion for continued appointment within 14 days of case opening	
Special Notes	10th Cir. R. 27.6(A), (D), (E) & (F)	10th Cir. R. 9.2(B) requires submission of an electronic appendix Per 10th Cir. R. 9.6, ruling not law of the case Reply permitted only by court order per 10th Cir. R. 9.3	Failure to timely file a motion to enforce does not preclude a party from raising the issue in a merits brief. 10th Cir. R. 27.3(A)(3)(c).	Must include service on client; if retained and client wants appointed counsel, must file proper motion for finding of eligibility in district court; if reason for withdrawal is frivolous appeal, must file <i>Anders</i> brief.	Must include: statement re: current or previous membership on 10th Cir. CJA panel; reason why continuation is sought; and why continuation will benefit the appeal.	Must contain signed statement from client acknowledging right to appeal and expressly electing to withdraw appeal and proof of service on client him/herself.
Certifications	A certificate of service is required: https://www.ca10.uscourts.gov/clerk/forms .					

Note: This quick reference guide is provided by the Clerk’s Office for the convenience of counsel and litigants for reference purposes only and does not constitute legal advice. Counsel and litigants remain responsible for independently reviewing and complying with the Federal Rules of Appellate Procedure and the Tenth Circuit Rules.