

United States Court of Appeals

**FIFTH CIRCUIT
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September 25, 2014

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No. 14-31037
Jonathan Robicheaux, et al v. James Caldwell, et al
USDC No. 2:13-CV-5090
USDC No. 2:14-CV-327
USDC No. 2:14-CV-97

Dear Counsel,

In accordance with the court order issued September 25, 2014, an expedited briefing notice is issued in this case. Briefing deadlines are set as follows:

Appellants' briefs due	October 17, 2014
Appellees' briefs due	October 31, 2014
Appellants' reply briefs due	November 7, 2014

We have docketed the appeal as shown above, and ask you to use the case number in future inquiries. You can obtain a copy of our briefing checklist on the Fifth Circuit's website "www.ca5.uscourts.gov/clerk/docs/brchecklist.pdf".

Briefing Notice. The record is complete for purposes of the appeal, see FED R. APP. P. 12.

Policy on Extensions. The court grants extensions sparingly and under the criteria of 5TH CIR. R. 31.4. You must contact opposing counsel and tell us if the extension is opposed or not. 5TH CIR. R. 31.4 and the Internal Operating Procedures following rules 27 and 31 state that except in the most extraordinary circumstances, the maximum extension for filing briefs is 30 days in criminal cases and 40 days in civil cases.

Reply Brief. We do not send cases to the court until all briefs are filed, except in criminal appeals. Reply briefs must be filed within the 14 day period of FED R. APP. P. 31(a)(1). See 5TH CIR. R. 31.1 to determine if you have to file electronic copies of the brief, and the format.

Brief Covers. THE CASE CAPTION(S) ON BRIEF COVERS MUST BE EXACTLY THE SAME AS THE CASE CAPTION(S) ON THE ENCLOSED TITLE CAPTION SHEET(S). **YOU WILL HAVE TO CORRECT ANY MODIFICATIONS YOU MAKE TO THE CAPTION(S) BEFORE WE SUBMIT YOUR BRIEF TO THE COURT.**

Dismissal of Appeals. The clerk may dismiss appeals **without notice** if you do not file a brief on time.

Appearance Form. If you have not electronically filed a "Form for Appearance of Counsel", you must do so within 14 days from this date. You must name each party you represent, See FED R. APP. P. and 5TH CIR. R. 12. The form is available from the Fifth Circuit's website, www.ca5.uscourts.gov.

New Guidance Regarding Citations in Pleadings.

The court has approved an amendment to 5TH CIR. R. 28.2.2 granting the Clerk the authority to create a standard format for citation to the electronic record on appeal. You must use the new citation format when citing to the electronic record on appeal.

- A. In single record cases, use the short citation form, "ROA" followed by a period, followed by the page number. For example, "ROA.123."
- B. For multiple record cases, cite "ROA" followed by a period, followed by the Fifth Circuit appellate case number of the record referenced, followed by a period, followed by the page of the record. For example, "ROA.13-12345.123."

To receive the record for preparing your brief, counsel, including CJA attorneys, must provide the appropriate district court with a United Parcel Service, or similar commercial delivery service, account number. If you wish to receive exhibits, you must specifically request them. The district court will charge your account for shipping you the record on appeal. In the alternative, you may contact a local courier or attorney support services firm

to pick up the record and ship it to you. CJA counsel may add these shipping fees to their vouchers.

Once you obtain the record, you should check it within 14 days of receipt for any missing or incomplete items. If you need to request a supplemental record or order transcripts, do so promptly. The court will not grant extensions of time to file your brief because you did not timely check the record.

Sincerely,

LYLE W. CAYCE, Clerk

 Shea E. Pertuit

By: _____
Shea E. Pertuit, Deputy Clerk
504-310-7666

Enclosure(s)

cc w/encl:

Mr. Stuart Kyle Duncan
Mrs. Angelique Duhon Freel
Mr. James Michael Johnson

Case No. 14-31037

JONATHAN P. ROBICHEAUX; DEREK PENTON; NADINE BLANCHARD; COURTNEY BLANCHARD,

Plaintiffs - Appellants

v.

JAMES D. CALDWELL, in his official capacity as the Louisiana Attorney General, also known as Buddy Caldwell,

Defendant - Appellee

JONATHAN P. ROBICHEAUX; DEREK PENTON; NADINE BLANCHARD; COURTNEY BLANCHARD; ROBERT WELLES; GARTH BEAUREGARD,

Plaintiffs - Appellants

v.

DEVIN GEORGE, in his official capacity as the State Registrar and Center Director at Louisiana Department of Health and Hospitals; TIM BARFIELD, in his official capacity as the Louisiana Secretary of Revenue; KATHY KLIEBERT, in her official capacity as the Louisiana Secretary of Health and Hospitals,

Defendants - Appellees

FORUM FOR EQUALITY LOUISIANA, INCORPORATED; JACQUELINE M. BRETTNER; M. LAUREN BRETTNER; NICHOLAS J. VAN SICKELS; ANDREW S. BOND; HENRY LAMBERT; R. CAREY BOND; L. HAVARD SCOTT, III; SERGIO MARCH PRIETO,

Plaintiffs - Appellants

v.

TIM BARFIELD, in his official capacity as Secretary of the Louisiana Department of Revenue; DEVIN GEORGE, in his official capacity as Louisiana State Registrar,

Defendants - Appellees