

THIRD CIRCUIT MOTIONS PRACTICE

When filing motions with the United States Court of Appeals for the Third Circuit, counsel's attention is drawn to Rule 27(a)(2)(A), Fed. R. App. Pro., which requires that the motion state "with particularity the grounds for the motion, the relief sought, and the legal argument necessary to support it." A "notice of motion" is not sufficient and will not be docketed. Rule 27(a)(2)(C)(ii). The form of the papers, page limits, number of copies and service, are governed by Rule 27(d). It is emphasized that these procedures apply to motions requesting a stay of removal in immigration cases. The opinions of the Immigration Judge and the BIA should accompany any motion requesting a stay of a removal order. Rule 27(a)(2)(B).

Click here <http://www.ca3.uscourts.gov/coaforms.htm> for information regarding electronic filing of emergency motions.