

## V. After You File

### A. Initial Review

After the Clerk's Office receives your notice of appeal or petition for review, a case number and case manager will be assigned to your case.

When your case is docketed, you will receive the following by mail:

- Notice of Docketing listing important initial filings and the Federal Circuit Rules corresponding to the briefing schedule;
- Caption Sheet;
- Entry of Appearance Form;
- Informal Brief Form;
- Form for Leave to Proceed in Forma Pauperis Form, if necessary; and
- Statement Concerning Discrimination Form (if from MSPB)
- General Information and Overview of a Case in the Federal Circuit Handout

**Frivolous Petitions or Appeals.** If you file and proceed with a frivolous appeal or petition for review, you may be subject to the imposition of sanctions. FRAP 38 and FCR 38 Practice Note.

### B. Filing Documents with the Court

Documents filed in cases are matters of public record and are accessible to the public. When filing documents with this court, you must redact personal information (e.g., social security number or taxpayer-identification numbers; dates of birth; names of minor children; financial account numbers; and medical records) and confidential information subject to a protective order. FRAP 25(a)(5) and FCR 25(f).

If necessary, you should file two versions of your documents: one confidential version containing un-redacted information and one non-confidential version containing appropriate redactions. FCR 25(f). **If you do not redact personal information from your filings, the Clerk's Office will not do it for you.**

#### 1. Document Requirements

The title of your document, your case name, and your case number must appear on the first page of every document you file. Your case number is made up of two parts (e.g., 16-0000). The first two digits are the fiscal year

and the last four digits are your specific number assigned by this court. Remember to include the correct case number for proper handling by the Clerk's Office.

Send the document to all other parties in your case (in other words, "serve" the other parties) and file a certificate of service with **every** document. Service on a party is made on that party's attorney(s). In cases against the government, the case will be opened with a generic agency service address. This address will be replaced once government counsel files an entry of appearance.

Each certificate of service must include the names and addresses of each person served and the date of service. Additionally, the certificate of service must state whether a copy has been served on all parties by mail, hand delivery, email, or fax transmission. Please attach the certificate of service as the last page of your document. Below is an example of a certificate of service:

#### **CERTIFICATE OF SERVICE**

I certify that I mailed my informal brief on January 1, 2000, to:

John Doe, Esq.  
111 Main Street, Suite 900  
Washington, DC 20001

A certificate of service form ([Form 30](#)) is available on the court's website.

## 2. Emailing or Faxing Documents to the Court

You may email or fax only a **motion, response to a motion, reply to a response, or a letter** to [prose@cafc.uscourts.gov](mailto:prose@cafc.uscourts.gov) or 202-275-9678. No other document may be filed or served by email or fax. A petition for review or notice of appeal must be filed with this court by mail or hand delivery. FCR 25(c)(2).

When emailing documents, you should be aware of the following:

- The subject line of the email should include the docket number, the name of the case, and the document that you are filing.
- The body of the email is considered a cover letter and only the attachment is considered a filing in your appeal. Please ensure all information you want filed in your case is part of the attachment to your email.

- The attachment(s) to the email should be named in such a way that the Clerk's Office is able to identify the document and its parts (e.g. Motion, Exhibits, Certificate of Service, etc.).
- Abuse of the pro se email address may result in a ban on filing further emails and require that any further documents submitted by you must be done through the mail or in-person.
- Documents over 2MB in size must be broken into smaller parts and submitted using multiple emails.
- The documents submitted must be in a Microsoft Word, text, or PDF format and free from viruses. Emails containing viruses, malware, or spam will not be opened and may be referred to the appropriate authorities.
- If using a document processor such as Word, documents can be signed electronically as follows by using /s/ followed by your name, address, and email address (see example below). FCR 25(d).

/s/ John Doe  
111 Main Street  
Anywhere, US 00000  
johndoe@emailaddress.com

### C. Checking Your Case Status

When your case is opened, you will receive a notice of docketing that identifies the date of docketing and your Federal Circuit case number. You will also receive copies of forms you may need. Whenever a document is filed in your case, you will receive a copy from the filing party. Whenever the court issues a document in your case, the Clerk's Office will mail you a copy.

To follow your case online, you can register for a Public Access to Court Electronic Records (PACER) account with a valid credit card at [https://www.pacer.gov/reg\\_pacer.html](https://www.pacer.gov/reg_pacer.html). PACER is an electronic public access service that allows you to obtain case and docket information online from federal appellate, district, and bankruptcy courts, through the PACER Case Locator. PACER charges a \$0.10 per page access fee unless your total charge is less than \$15 at the end of each month, in which case the fee is waived.

Additionally, you can obtain free access to case materials at any Federal Depository Library. You can locate your nearest Federal Depository Library at <https://www.fdlp.gov/about-the-fdlp/federal-depository-libraries>.

Unrepresented parties may register for a [Public Interested Person account](#) to receive electronic notification of docket activity in your case. Additional

information is available in our Electronic Filing Procedure ("CM/ECF User's Guide") and on the court's website at <http://www.cafc.uscourts.gov/sites/default/files/cmecf/ElectronicFilingProcedures.pdf>

#### D. Withdrawing Your Appeal

If you wish to withdraw your petition for review or appeal, send a letter addressed to the Clerk of Court including your case number and stating that you want to "withdraw your appeal." You must sign and date the letter and serve the other party a copy. Withdrawing your appeal will result in its dismissal. FRAP 42.

This court will ordinarily not assess damages, double costs, or attorney fees for filing a frivolous petition for review or appeal if it is voluntarily withdrawn within 14 days after you receive the other party's brief. FRAP 38 Practice Note.

Please note that no refund of your filing fee will be authorized if you withdraw your appeal. FCR 52 Practice Note.

#### E. Change of Address

You must notify the court as soon as possible if you change your address while your case is pending. The court will only mail documents to one address.

You may use an entry of appearance form ([Form 8](#)), available on the court's website.