

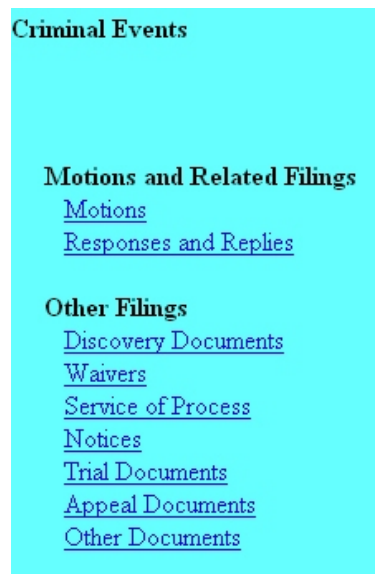
Filing a Notice of Appeal of Final Judgment in a Criminal Case in CM/ECF

Filing a Notice of Appeal in CM/ECF involves selecting the type of document you are filing, entering the case number, selecting the party who is filing the document, selecting the pdf document, modifying the docket text, and accepting the final docket text.

STEP 1 After you have logged in to CM/ECF, click on **Criminal** on the ECF Main Menu.

STEP 2 The system will display the **Criminal Events** screen.

- Click on **Appeal Documents** in the Other Filings section.

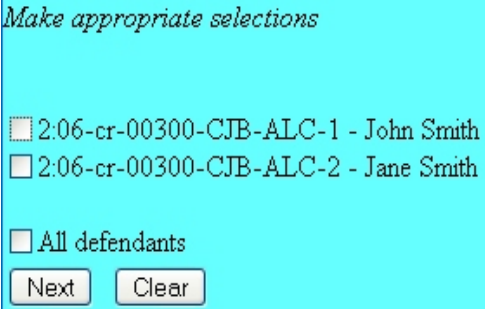


STEP 3 The system will next display the Case Number screen for you to enter the case in which the document is to be filed.

- The number of the last case accessed will be displayed. If this is the correct case, just click **Next**. If it is not, enter the correct case number and then click **Next**.

STEP 4 If there is more than one defendant in the case, the system will display a screen to select the defendant(s) to which this document relates.

- This is the defendant whom the document is “as to,” which may or may not be the same as the filer. (If the document is being filed by the government, select the defendant(s) to whom the filing applies.) Your selection on this screen determines whose docket sheet the document will appear on.
- Click in the check box for the appropriate defendant. Click **Next**.



Make appropriate selections

2:06-cr-00300-CJB-ALC-1 - John Smith

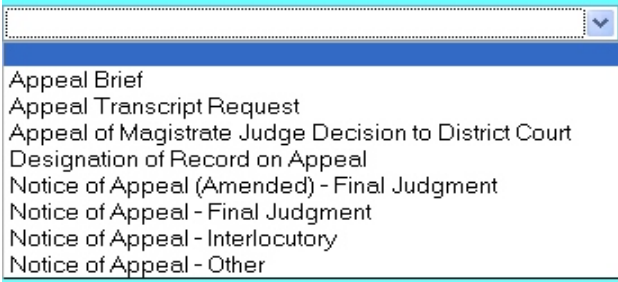
2:06-cr-00300-CJB-ALC-2 - Jane Smith

All defendants

Next Clear

STEP 5 The system will display the **Appeal Documents** screen, for you to select the type of document being filed.

- Click the down-arrow at the right of the highlighted area, and the system will display a drop-down list.
- Select **Notice of Appeal - Final Judgment** by clicking on it, then click **Next**.



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Appeal Brief

Appeal Transcript Request

Appeal of Magistrate Judge Decision to District Court

Designation of Record on Appeal

Notice of Appeal (Amended) - Final Judgment

Notice of Appeal - Final Judgment

Notice of Appeal - Interlocutory

Notice of Appeal - Other

STEP 6 The system will then display the **pdf document** screen.

- To associate a pdf file with this entry, you can either enter the path and filename of the document with the .pdf extension, if you know it, in the **Filename** field, or you can click **Browse...** to find it. If you click **Browse...**, the system will display a **File Upload** screen.
- On this screen, you should click on the down arrow for the **Files of type:** field at the bottom and select “All Files (*.*)” This screen will then show all files,

including .pdf files. Then, if the desired file is not displayed, either double-click on any directory or folder icon to go down the directory structure, or click on the “Up One Level” icon, to go up the directory structure.

- Navigate to the directory where the appropriate pdf file is located, then click on it to select it. To make sure you are associating the correct file, you can view the selected file by right-clicking on the filename.
- On this menu, click **Open**. The system will launch the Adobe Acrobat Reader to display the contents of the pdf document. With that you can verify that this is the correct document.
- If this is the correct document, close the Adobe Acrobat Reader by clicking on the **X** in the top right corner, then click **Open** on the File Upload screen. This will return you to the pdf document screen.
- If this is not the correct file, close this window, navigate to a different directory, if necessary, and open another file until you find the correct pdf file.
- If this document has attachments, you would click **Yes** at the bottom. The system would then let you enter the pdf filenames and descriptions of the attachments.
- Click **Next** to continue.

STEP 7 The system will then display the **File Selection** screen.

- On this screen you select the party who is filing the document. This selection may not be the same as the defendant selection in Step 4 (and will not be the same if the document is filed by the government.) This selection will put that party’s name in the docket text. Click on the filer’s name, and then click **Next**.

Select the filer.

Select the Party:

USA [Plaintiff]
Smith, John (1) [Defendant] (1)
Smith, Jane (2) [Defendant]

(1) indicates a terminated party

Next Clear

STEP 8 The system will ask if you want to link this document to another document in this case.

- To link this document to the judgment you are appealing, click in the box next to the question.
- If it is a large case, you can narrow your search of the judgment using the sort features of the date it was filed or the document number. If these fields are left blank, the system will retrieve all documents that were generated by the Court.
- Click **Next**.

Select order being appealed.

Should the document you are filing link to another document in this case?

Filed to

Documents to

STEP 9 The system will display the documents in the case resulting from the search clues entered on the previous screen.

- Select the order to which you are appealing by checking the box next to that docket entry.
- Click **Next** to continue.

Select the appropriate event(s) to which your event relates:

2:06-cr-00300-CJB-ALC John Smith,

04/25/2006 7 Minute Entry for proceedings held before Judge Carl Barbier :Initial Appearance as to John Smith held on 4/25/2006. Defendant remanded. (trainercrt,) (Entered: 05/02/2006)

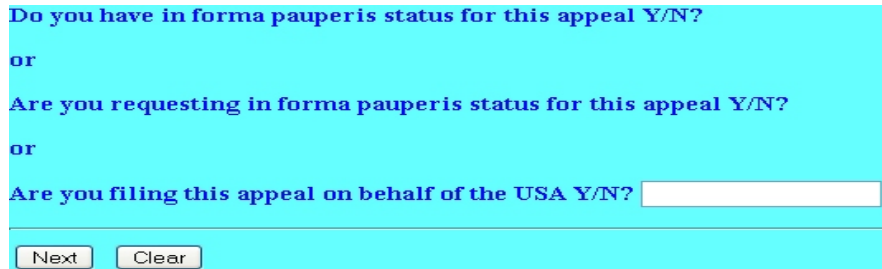
04/25/2006 8 Minute Entry for proceedings held before Judge Carl Barbier :Arraignment as to John Smith (1) Count 1,2 held on 4/25/2006. Defendant remanded. (trainercrt,) (Entered: 05/02/2006)

04/26/2006 9 Minute Entry for proceedings held before Judge Carl Barbier :Rearraignment for John Smith (1) Count 1,2 as to John Smith held on 4/26/2006 (trainercrt,) (Entered: 05/02/2006)

04/28/2006 10 Minute Entry for proceedings held before Judge Carl Barbier :Sentencing held on 4/28/2006 for John Smith (1), Count(s) 1, 2. (trainercrt,) (Entered: 05/02/2006)

04/28/2006 11 JUDGMENT as to John Smith (1), Count(s) 1, 2, Sentencing held 4/28/06 . Signed by Judge Carl Barbier. (trainercrt,) (Entered: 05/02/2006)

STEP 10 The system will ask if you have received or are requesting in forma pauperis status on this appeal or on behalf of the USA. Answer y or n accordingly, and click **Next**.



Do you have in forma pauperis status for this appeal Y/N?
or
Are you requesting in forma pauperis status for this appeal Y/N?
or
Are you filing this appeal on behalf of the USA Y/N?

STEP 11 If you have selected "no", the system will remind you of the \$455 appeal fee due. Click **Next**.

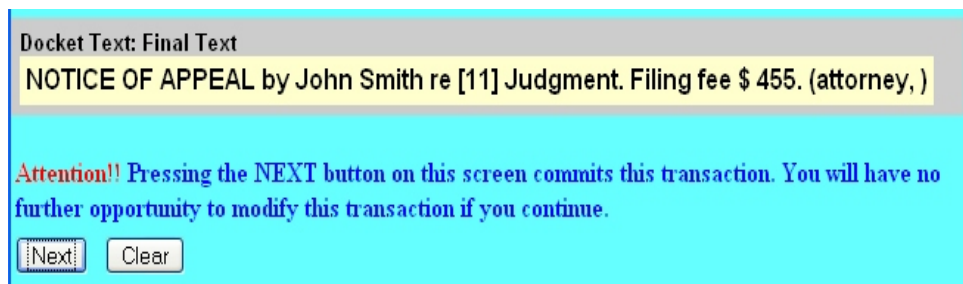


Fee: \$455

STEP 12 The system will prompt you to certify that service has been accomplished in accordance with the Federal Rules and Local Rules of this Court. This does not take the place of the Certificate of Service that should be included in your filing. Click **Next** to continue.

STEP 13 The system will display the **Final Docket Text** screen.

- This is your **last chance** to correct any errors in the transaction. If the transaction is NOT correct, click **Back** on your browser to return to the screen where the error was made, fix the error, then proceed again through the transaction.
- If the transaction and the text are correct, click **Next**.



Docket Text: Final Text
NOTICE OF APPEAL by John Smith re [11] Judgment. Filing fee \$ 455. (attorney,)

Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.

STEP 14 Finally, the system will display the **Notice of Electronic Filing** screen.

- The **Notice of Electronic Filing** is the verification that the filing has been sent electronically to the court's database. It certifies that this is now an official court document.
- To print a copy of this notice, click **Print**.
- To save a copy of this receipt, click **File**, then **Save As...** on the browser menu.
- When you arrive at the **Notice of Electronic Filing** screen, you are finished with the filing of your document. You can select a choice from the ECF Main Menu. For example, you can click on **Civil** to file another document. If you are finished, you should click on **Logout**.

Note: It is the responsibility of the filer to send hard copies of the pleading and Notice of Electronic Filings to attorneys and pro se parties who have indicated they do not have E-Mail accounts established with the Court.