

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK**

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Elisabeth A. Shumaker
Clerk of Court

September 07, 2018

Chris Wolpert
Chief Deputy Clerk

Marcus A. Murphy
5795 Southmore Drive, Lot 53
Fountain, CO 80817

RE: 18-1363, Murphy v. Williams
Dist/Ag docket: 1:18-CV-01919-MSK-KMT

Dear Appellant:

The court has received and docketed your appeal. Please note your case number above.

Attorneys must complete and file an entry of appearance form within 14 days of the date of this letter. *See* 10th Cir. R. 46.1(A). Pro se parties must complete and file the form within thirty days of the date of this letter. An attorney who fails to enter an appearance within that time frame will be removed from the service list for this case, and there may be other ramifications under the rules. If an appellee does not wish to participate in the appeal, a notice of non-participation should be filed via ECF as soon as possible. The notice should also indicate whether counsel wishes to continue receiving notice or service of orders issued in the case.

The court will forward all forms, letters and orders to you via US Mail. If you wish to change the method of service from US Mail to email, you must make that request in writing and provide this office a valid email address. Requests to change the method of service must come via regular US Mail and may not be emailed. Please note that by providing the court with a valid email address you consent to receive all orders/letters issued by the court via "notices of docket activity" (NDAs). Paper copies will not be mailed to you. When you receive an email "NDA" a link to the order/letter that has been issued will appear in the notice; you are entitled to one free "look" at the document and should download it at that time. The document will appear as a PDF so you must have the ability to view PDFs. Finally, if your email address changes you must notify the court immediately. It is your responsibility to maintain your email address.

Finally, while your "Motion for Interlocutory Appeal & Notice of Appeal, and Request for Writ of Mandamus" references the standards for (1) a stay pending appeal and (2)

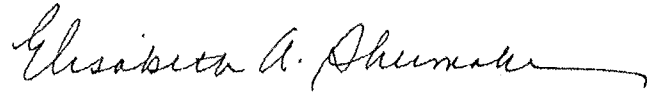
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application of the All Writs Act, it does not contain any argument applying those standards to the facts of your case. Accordingly, while we have processed your notice of appeal, we have not also docketed it as a motion pursuant to Fed. R. App. P. 8 or a petition for writ of mandamus pursuant to Fed. R. App. P. 21. Should you wish to file a motion pursuant to Rule 8 in your newly-opened appeal, that rule states that you must ordinarily do so first in the district court. Further, should you wish to file a petition for writ of mandamus (which is filed directly in this court, not in the district court), it must comply with Rule 21, and because the filing of such a petition results in the opening of a separate original proceeding in this court, it must be accompanied by the required \$500 filing fee and be served directly upon the district judge presiding over your case.

You will receive further instructions regarding prosecution of this appeal from the court within the next few weeks.

Please contact this office if you have questions.

Sincerely,

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a horizontal line.

Elisabeth A. Shumaker
Clerk of the Court

cc: Emily Burke Buckley

EAS/lg