

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Nos. 01-9014 & 02-9001

Abu-Jamal

vs.

Horn

Martin Horn, et al.,  
Appellants in No. 01-9014

Mumia Abu-Jamal,  
Appellant in No. 02-9001

BRIEFING AND SCHEDULING ORDER

It appearing that pursuant to Rule 11, Fed. R. App. P., the record in the above-entitled appeals has been transmitted to this court and filed as of December 6, 2005;

It is **ORDERED** that the brief for the appellant/cross-appellee and the appendix shall be filed and served on or before 1/17/06;

It is **FURTHER ORDERED** that the brief for appellee/cross-appellant shall be filed and served within thirty (30) days of service of appellant/cross-appellee's brief;

It is **FURTHER ORDERED** that the reply brief for appellant/cross-appellee, shall be filed and served within thirty (30) days of service of appellee/cross-appellant's brief;

It is **FURTHER ORDERED** that the reply brief for appellee/cross-appellant, if any, shall be filed and served within fourteen (14) days of service of appellant/cross-appellee's brief;

It is **FURTHER ORDERED** that in the event of default by the appellant/cross-appellee in filing the brief and appendix, at the time directed, the direct appeal may be dismissed forthwith without further notice;

It is **FURTHER ORDERED** that if the appellee/cross-appellant fails to file a brief within the time directed by this order, the cross-appeal will be dismissed, the matter will be listed on appellant/cross-appellee's brief only and the appellee/cross-appellant may be subject to such sanctions as the court deems appropriate.

**Appellee's attention is called to 3rd Cir. LAR 31.2 which provides:** A local, state or federal entity or agency, which was served in the district court and which is the appellee, must file a brief in all cases in which a briefing schedule is issued unless the court has granted a motion seeking permission to be excused from filing a brief. The rule does not apply to entities or agencies that are respondents to a petition for review unless the entity or agency is the sole respondent or to entities or agencies which acted solely as an adjudicatory tribunal.

For the Court,

*Marcia M. Waldron*

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MARCIA M. WALDRON  
Clerk

Date: 12/6/2005