

Clerk, U.S. District Court
Southern District of Texas
FILED

MAY 02 2017

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

David J. Bradley, Clerk of Court

LYLE W. CAYCE
CLERK

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600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

May 02, 2017

Mr. Edward A. Stapleton III
Stapleton & Stapleton
2401 Wild Flower Drive
Suite C
Brownsville, TX 78526

No. 16-41422 USA v. Joel Cuevas
USDC No. 2:16-CR-525-1

Dear Mr. Stapleton,

Appointed counsel has been removed from the above appeal and you have been appointed to represent the appellant under the Criminal Justice Act. Information regarding your compensation and expense voucher will be provided separately. You must complete the voucher when the appeal concludes. You can obtain a copy of our Plan for Representation on Appeal Under the Criminal Justice Act, listing the duties and responsibilities of court-appointed counsel from the Fifth Circuit's website "<http://www.lb5.uscourts.gov/cja/cjaDocs/cja.pdf>".

Please carefully read and within 15 days from this date comply with the applicable enclosed instructions.

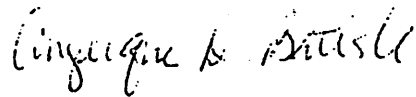
Attention Attorneys: Direct access to the electronic record on appeal (EROA) for pending appeals will be enabled by the U S District Court on a per case basis. Counsel can expect to receive notice once access to the EROA is available. Counsel must be approved for electronic filing and must be listed in the case as attorney of record before access will be authorized. Instructions for accessing and downloading the EROA can be found on our website at www.ca5.uscourts.gov/attorneys/attorney-forms/eroa downloads. Additionally, a link to the instructions will be included in the notice you receive from the district court.

Sealed documents, except for the presentence investigation report in criminal appeals, will not be included in the EROA. Access to sealed documents will continue to be provided by the district court only upon the filing and granting of a motion to view same in this court.

You must first complete a transcript order form that can be found on our website www.ca5.uscourts.gov. You are required to electronically file the form through the 5th Circuit electronic filing system, even if you have already done so with the district court. When completed, this meets your obligation to order the necessary portion(s) of the court reporter's transcript, see FED R. APP. P. 10(b). Second, you must make financial arrangements with the court reporter to pay for the transcript. If you are pro se and unable to afford payment, you must file a motion with the district court requesting a transcript at government expense, and notify this court of the filing. We will then coordinate with the court reporter for a time to file the transcript. The court reporter should contact you directly if an extension of time is granted to file the transcript. If you do not order or make arrangements to pay for the transcript within 15 days, we will dismiss your appeal without further notice, unless the case is a criminal appeal and you are proceeding In Forma Pauperis, see 5TH CIR. R. 42.3.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Angelique D. Batiste, Deputy Clerk
504-310-7715

cc w/encl:

Mr. David J. Bradley
Ms. Carmen Castillo Mitchell

P.S. to all counsel: The previously filed motion to withdraw as counsel and anders brief have been withdrawn from the docket.