

## VIII. Motion Reliefs

The following is an alphabetical listing of all reliefs available when filing a [motion](#), as well as an explanation of the relief.

Relief	Explanation
<b>additional time at oral argument</b>	Use to request additional argument time at oral argument.
<b>allow argument</b>	Use to request argument in a case.
<b>allow costs</b>	Use to request that costs be permitted under Fed. R. App. P. 39 and Fed. Cir. R. 39. This can be used if either the court did not authorize costs in the case or if certain requested costs would not ordinarily be taxable (e.g., shipping).
<b>attorney fees and expenses</b>	Use to request attorney fees under Fed. Cir. R. 47.7. <i>Note:</i> Equal Access to Justice Act fee requests must be submitted using the relief <b>EAJA attorney fees and expenses</b> .
<b>clarify</b>	Use to request clarification from the court.
<b>consolidate appeals</b>	Use to request consolidation of specified related cases. <i>Note:</i> The cases would be briefed and argued jointly. Such a motion should be filed in all cases that would be newly consolidated.
<b>continue stay</b>	Use to request that a case continue to be stayed.
<b>correct/supplement</b>	Use when seeking to correct or supplement a document that already appears on the Federal Circuit's docket report. Also use to request leave to supplement the record.
<b>deconsolidate appeals</b>	Use to request the deconsolidation of a currently consolidated set of cases. The motion must specify which cases are to be deconsolidated, and what the relationship between the deconsolidated cases should be (e.g., proceed as stand-alone cases, as companion cases, or consolidated into subsets). The motion must be submitted in the lead case only.
<b>dismiss appeal pursuant to FRAP 42(b)</b>	Use to request voluntary dismissal under Fed. R. App. P. 42(b).
<b>disqualify</b>	Use when moving to disqualify an attorney or law firm from a case.

Relief	Explanation
<b>EAJA attorney fees and expenses</b>	For filing an application for attorney fees and expenses under the Equal Access to Justice Act (see <a href="#">Form 20</a> ). Use to request attorney fees under the Equal Access to Justice Act. <i>Note:</i> Other attorney fee requests must be submitted using the relief <b>attorney fees and expenses</b> .
<b>exempt from electronic filing</b>	Use to request that a specific electronic filer, a given document, or the case in general be exempt from electronic filing under FCR 25.
<b>expedite briefing</b>	Use to request an expedited briefing schedule and include a proposed schedule. <i>Note:</i> Also select <b>expedite hearing</b> as a second relief if seeking an expedited hearing.
<b>expedite hearing</b>	Use to request an expedited hearing. <i>Note:</i> Also select expedite briefing as a second relief if seeking <b>expedited briefing</b> .
<b>expedite other</b>	Use for any other requests to expedite.
<b>extend time to file a response to en banc or rehearing petition</b>	Use to request an extension of time for a response to a petition for rehearing or en banc hearing, or to request leave to file a response out of time.
<b>extend time to file appendix</b>	Use to request an extension of time for an appendix or supplemental appendix, or to request leave to file an appendix out of time.
<b>extend time to file brief</b>	Use to request an extension of time to file any type of brief, or to request leave to file a brief out of time.
<b>extend time to file other</b>	Use to request an extension of time for all other documents not covered by the existing extension reliefs (including requests for leave to file a document out of time).
<b>extend time to file petition for rehearing/en banc</b>	Use to request an extension of time to file a petition for panel rehearing or rehearing en banc, or to request leave to file a petition out of time.
<b>hear case before the same merits panel</b>	Use to request that a case be heard by the same panel of judges as a prior related case.
<b>highly sensitive document protection</b>	Use to request that a document be classified as highly sensitive pursuant to Administrative Order 2021-04 issued on January 13, 2021. Review the Order <a href="#">here</a> .
<b>in camera proceedings</b>	Use to request that argument occur in a sealed courtroom to allow for inclusion of confidential material.

Relief	Explanation
<b>issue mandate</b>	Use to request that the court issue the mandate immediately.
<b>leave to appear as counsel</b>	Use to request leave to file an entry of appearance pursuant to Fed. Cir. R. 47.3(b)(4) after a case is assigned to a merits panel. Also used to request leave to appear as counsel without bar membership.
<b>leave to file a response/reply</b>	Use to request leave to respond or reply to a document that does not allow for a response/reply under the Rules. <i>Note:</i> The proposed response or reply must be uploaded as an attachment to the motion and must not be filed separately.
<b>leave to file amicus brief on en banc or rehearing petition</b>	Use to request leave to file a brief as an amicus curiae on a petition for hearing en banc or petition for rehearing under Fed. Cir. R. 35(g) or 40(f). <i>Note:</i> The proposed brief must be uploaded as an attachment to the motion and must not be filed separately.
<b>leave to file an amicus curiae brief</b>	Use to request leave to file a brief as an amicus curiae under Fed. Cir. R. 21(e) or Fed. R. App. P. 29(a)(3). <i>Note:</i> The proposed brief must be uploaded as an attachment to the motion and must not be filed separately.
<b>leave to file supplemental appendix</b>	Use to request leave to file a supplemental appendix. <i>Note:</i> The proposed appendix must be uploaded as an attachment to the motion and must not be filed separately. A motion is not required to file a supplemental appendix under Fed. Cir. R. 30(e).
<b>leave to file supplemental brief</b>	Use to request leave to file a supplemental brief or sur-reply brief, or to request a supplemental briefing schedule. <i>Note:</i> Any proposed brief must be uploaded as an attachment to the motion and must not be filed separately.
<b>leave to intervene</b>	Use to request leave to intervene. <i>Note:</i> If intervention is already authorized by statute, a motion is not required and the filer may use the event <b>notice of intervention</b> .
<b>leave to proceed in forma pauperis</b>	Access to the document is restricted and is only available to users associated with the case.

Relief	Explanation
<b>lift injunction</b>	Use to request that an underlying injunction be lifted pending appeal under Fed. R. App. P. 8 or 18. <i>Note:</i> If the Federal Circuit has not yet docketed the case, a motion under this rule must be filed under <b>Utilities</b> → <b>Submit New Case</b> .
<b>lift stay</b>	Use to request that a stay of a case be lifted. Also use to request that an underlying stay be lifted pending appeal under Fed. R. App. P. 8 or 18. <i>Note:</i> If the Federal Circuit has not yet docketed the case, a motion under this rule must be filed under <b>Utilities</b> → <b>Submit New Case</b> .
<b>limited remand</b>	Use to request a partial or limited remand of the case to the originating court/agency. <i>Note:</i> To request a remand of the entire case, use the relief <b>terminate appeal</b> .
<b>modify protective order</b>	Use to request modification of a protective order.
<b>modify the official caption</b>	Use to request non-typographical or otherwise substantive changes to the official caption, such as a missing party or party name change. <i>Note:</i> A request to substitute parties should use the relief <b>substitute party</b> . Typographical or other non-substantive changes may be identified to the court using the event <b>notice of objection to the caption</b> .
<b>other relief</b>	Use this relief only when no other relief applies. <i>Note:</i> If there is uncertainty as to whether a different relief should apply, please contact the Clerk's Office.
<b>reactivate appeal under FRAP 4(a)(4)</b>	Use to request that the court reactivate a case under Fed. R. App. P. 4(a)(4) following disposition of pending post-judgment motions.
<b>recall mandate</b>	Use to request that the court recall the mandate if it has already issued.
<b>reconsider order</b>	Use to request that the court reconsider an order. <i>Note:</i> if requesting reconsideration of an order terminating a case, also select the relief <b>reopen case</b> .
<b>reconsider order en banc</b>	Use to request that the court reconsider an order en banc. <i>Note:</i> If requesting reconsideration of an order terminating a case, also select the relief <b>reopen case</b> .
<b>recuse judge</b>	Use to request that a given judge not be assigned to a merits/motions panel.

Relief	Explanation
<b>reissue as precedential</b>	Use to request that the court reissue a decision or order as precedential under FCR 32.1(e).
<b>remove confidential document from CM/ECF</b>	Use to request that a document designated as highly sensitive be removed from CM/ECF pursuant to Administrative Order 2021-04 issued on January 13, 2021. Review the Order <a href="#">here</a> .
<b>reopen case</b>	Use to request that a case be reinstated.
<b>reschedule argument</b>	Use to request rescheduling of an already-scheduled oral argument.
<b>sanction</b>	Use to request that the court levy sanctions on an attorney or party.
<b>schedule oral argument</b>	Use to request a specific date/time for oral argument to be held.
<b>seal case</b>	Use to request that a case be sealed.
<b>seal document</b>	Use to request that the court restrict access to a document.
<b>set briefing schedule</b>	Use to request a briefing schedule that is different from the schedule required by the Rules or issued by the court. <i>Note:</i> If requesting an expedited briefing schedule, use the relief <b>expedite briefing</b> . Individual brief or appendix extension requests should be submitted using the reliefs <b>extend time to file brief</b> or <b>extend time to file appendix</b> .
<b>stay appeal</b>	Use to request that a case be stayed.
<b>stay mandate</b>	Use to request that the court stay issuance of the mandate.
<b>stay pending appeal – Rule 8/18</b>	Use to request stay of an underlying order/case pending appeal under Fed. R. App. P. 8 or 18. <i>Note:</i> If the Federal Circuit has not yet docketed the case, a motion under this rule must be filed under <b>Utilities → Submit New Case</b> .
<b>strike document</b>	Use to request that a document be stricken in-whole or in-part. <i>Note:</i> A motion to strike must be included in a responsive brief if one is authorized or if leave is obtained under Fed. Cir. R. 27(e) and may not take the form of a separately filed motion.
<b>substitute party</b>	Use to request substitution of one or more parties in a case. <i>Note:</i> To reflect a party name change in the official caption, use the relief <b>modify the official caption</b> .
<b>summary affirmance</b>	Use to request that a case be summarily affirmed.

Relief	Explanation
<b>take judicial notice</b>	Use to request that the court take judicial notice.
<b>temporary injunction pending appeal</b>	Use to request a temporary injunction pending appeal under Fed. R. App. P. 8 or 18. <i>Note:</i> If the Federal Circuit has not yet docketed the case, a motion under this rule must be filed under <b>Utilities → Submit New Case</b> .
<b>terminate appeal</b>	Use to request termination of a case or set of consolidated cases. The motion must specify all case number(s) to be terminated. <i>Note:</i> Use the relief <b>summary affirmance</b> for summary affirmance of a case, and <b>dismiss appeal pursuant to FRAP 42(b)</b> for voluntary dismissal requests.
<b>transmit physical exhibits</b>	Use to request transmission of physical exhibits from the underlying court/agency to the Federal Circuit.
<b>treat as companion case</b>	Use to request that specified related cases be scheduled for oral argument on the same day before the same merits panel. <i>Note:</i> The cases would not be consolidated and would still be briefed and argued separately. Such a motion should be filed in all cases that would be made companions.
<b>unseal</b>	Use to request the unsealing of either a case or a document.
<b>vacate</b>	Use to request that the court vacate an order or decision.
<b>waive confidentiality requirements</b>	Use to request waiver of the confidentiality requirements for any motion, petition, response, reply, or brief under Fed. Cir. R. 25.1(d)(1).
<b>waive fees</b>	Use to request waiver of a required fee under Fed. Cir. R. 52. <i>Note:</i> motions for leave to proceed in forma pauperis must be filed under the event <b>Motion for Leave to Proceed in Forma Pauperis</b> , which is a restricted-view event.
<b>waive oral argument</b>	Use to request that a case be submitted on the briefs instead of argued orally.
<b>waive other requirement</b>	Use to request waiver of a requirement only if no other waive requirement relief applies.
<b>waive requirements of brief or appendix</b>	Use to request waiver of a requirement of a brief or appendix. <i>Note:</i> If requesting waiver of a confidentiality requirement under Fed. Cir. R. 25.1(d), select the relief <b>waive confidentiality requirements</b> .

Relief	Explanation
<b>waive requirements of Rule 27(f)</b>	Use to request waiver of Fed. Cir. R. 27(f), which prohibits the filing of a motion to dismiss or remand an appeal if the appellant/petitioner has already filed its brief. <i>Note:</i> The relief <b>terminate appeal</b> or <b>summary affirmance</b> must also be selected if the motion simultaneously requests case termination.
<b>withdraw attorney</b>	Use to request that principal counsel be withdrawn under Fed. Cir. R. 47.3(c). <i>Note:</i> An entry of appearance for replacement principal counsel should be submitted concurrently using its own event.
<b>withdraw document</b>	A party that filed a document may use this relief to request that the document be withdrawn.
<b>withdraw party</b>	Use to withdraw a party from the case. This relief should not be used instead of <b>dismiss appeal pursuant to FRAP 42(b)</b> .

## IX. Document Types

The following is an alphabetical listing of all available document types ("document events"), as well as an explanation of when to use each document type.

Document Types	Explanation
<b>Agreed Statement in Lieu of Certified List</b>	Use only if the court has authorized the parties to file an agreed statement in lieu of the certified list.
<b>Amended Notice of Appeal or Petition for Review</b>	Use to file an amended notice of appeal or petition for review. In appeals from district court proceedings, an amended notice of appeal must be filed with the district court. Do not file a courtesy copy with this court.
<b>Bill of Costs</b>	Use to file a bill of costs (see <a href="#">Form 24</a> ).
<b>Brief/Appendix or Joinder</b>	Use this event for all non-confidential briefs, appendices, and notices of joinder.
<b>Certificate of Compliance – Protective Order</b>	Use to certify compliance with Fed. Cir. R. 25.1(c) regarding modification of protective orders. The court does not have a separate form for this certificate.
<b>Certificate of Compliance – Transcript</b>	Use to file a certificate indicating no transcript will be ordered in compliance with Fed. R. App. P. 10(b)(1). See the Practice Notes to Rule 10 for more information.
<b>Certificate of Interest</b>	Use to file a certificate of interest (see <a href="#">Form 9</a> ). Refer to Fed. Cir. R. 47.4. If representing multiple parties, one combined certificate of interest should be filed for all parties. If a certificate of interest is included in a filing's required contents, the certificate of interest must be attached to that document and may not be filed separately using this event. The notice of related case information must be uploaded under its own event and may not be included as an attachment in the <b>Certificate of Interest</b> event.
<b>Citation of Supplemental Authority – FRAP 28(j)</b>	Refer to Fed. R. App. P. 28(j).

Document Types	Explanation
<b>Confidential Brief/Appendix or Joinder</b>	Use this event for all <b>confidential</b> briefs, appendices, and notices of joinder. PDFs uploaded using this event will not be available for viewing; you must serve the parties by an alternative method. See Fed. Cir. R. 25(e)(3).
<b>Corrected Certificate of Service</b>	Use to correct an incorrect proof of service attached to a filing or to identify service for a filing that failed to include proof of service. This event should not be used for an original proof of service; an original proof of service must be attached to the applicable document.
<b>Docketing Statement</b>	Use to file a docketing statement (see <a href="#">Form 26</a> ). Refer to the court's <a href="#">Mediation Guidelines</a> and Fed. Cir. R. 47.6.
<b>Entry of Appearance</b>	Use to file an entry of appearance for counsel pursuant to Fed. Cir. R. 47.3 (see <a href="#">Form 8A</a> ). If representing multiple parties, file one combined entry of appearance for all parties (unless an attorney is principal counsel for only some portion of the represented parties, in which case separate entries of appearance must be filed). Multiple counsel representing the same party can submit a single entry of appearance form. This event should not be used if an unrepresented party is also a member of the court's bar; use the event <b>Notice of Unrepresented Person Appearance</b> .
<b>Joint Stipulation of Voluntary Dismissal</b>	Use to file a signed dismissal agreement by all parties under Fed. R. App. P. 42(b)(1) (see <a href="#">Form 18</a> ). Motions to voluntary dismissal under Fed. R. App. P. 42(b) must be filed using the event <b>Motion</b> and selecting the relief <b>Dismiss Appeal Pursuant to FRAP 42(b)</b> .
<b>Letter or Notice</b>	Use to file a letter or notice that does not have a more specific event. If requesting relief, the document must take the form of a motion under Fed. R. App. P. 27 and be filed using the <b>Motion</b> event; if it does not take the form of a motion, the court may not act on or respond to the request.

Document Types	Explanation
<b>Memorandum in Lieu of Oral Argument</b>	Should the case be submitted on the briefs, use this event to submit a memorandum in accordance with the court's notice of submission without oral argument.
<b>Motion</b>	More than one relief may need to be selected, depending on nature of motion.
<b>Motion for Leave to Proceed in Forma Pauperis</b>	Use to file a motion for leave to proceed in forma pauperis (see <a href="#">Form 6</a> ). The document filed with this event is restricted and is not available to the public.
<b>Notice of Correction</b>	Use to file a Notice of Correction to a document that appears on the Federal Circuit's docket report. The corresponding corrected version of the document must be uploaded under its own event and may not be included as an attachment in the Notice of Correction event.
<b>Notice of Election to Participate Pursuant to 37 CFR 1.983</b>	Use to file a Notice of Election to Participate in a pending appeal from the U.S. Patent and Trademark Office.
<b>Notice of Intent to Use Visual Aids</b>	Refer to Fed. Cir. R. 34(c) and the <a href="#">Guide for Oral Argument</a> .
<b>Notice of Intervention</b>	Use only to file a notice of intervention authorized by statute (see Fed. R. App. P. 15(d)). A motion for leave to intervene must be filed using the event <b>Motion</b> instead if intervention is not authorized by statute.
<b>Notice of Joinder to Document</b>	Use when joining in another party's document. Do not use for joinders to briefs (use <b>Brief/Appendix or Joinder</b> instead).
<b>Notice of Objection to the Caption</b>	Use to request modification of the official caption only if there are clear errors in the caption (e.g., misspelling, incorrect designation). Any non-typographical or otherwise substantive changes (e.g., missing party, party name change, or party substitution) must be requested through a motion.
<b>Notice of Physical Filing – FCR 25(c)(1)(B)</b>	Refer to Fed. Cir. R. 25(c)(1)(B). This event may only be used for filings permitted by this rule.

Document Types	Explanation
<b>Notice of Related Case Information</b>	Use to file a notice of related case information (see <a href="#">Form 9A</a> ) only if required by Fed. Cir. R. 47.5(b).
<b>Notice of Unrepresented Person Appearance</b>	Use to file a notice of unrepresented person appearance pursuant to Fed. Cir. R. 47.3 (see <a href="#">Form 8B</a> ).
<b>Notice Regarding Bankruptcy</b>	Use only to notify the court of bankruptcy proceedings.
<b>Notice Regarding Pending FRAP 4(a)(4)(A) Motions</b>	Refer to Fed. R. App. P. 4(a)(4)(A) and the Practice Notes to Rule 4.
<b>Other Document</b>	Use only when no other event applies. If there is uncertainty as to whether a different event should apply, please contact the Clerk's Office.
<b>Pay Docketing Fee</b>	If the fee was not paid when the case was submitted, use this event to pay the docketing fee after the case is opened.
<b>Petition</b>	Refer to Fed. Cir. R. 35, 40. Use this event only for filing petitions for panel or en banc rehearing or petitions for en banc hearing.
<b>Reply</b>	Use to reply to a Response/Opposition, or to reply to another reply if granted leave. If filing a reply brief, use the event <b>Brief/Appendix or Joinder</b> .
<b>Response to Court</b>	Use when responding to the court (e.g., show cause order).
<b>Response to Notice of Oral Argument</b>	Use to upload a completed Response to Notice of Oral Argument ( <a href="#">Form 33</a> ). See Fed. Cir. R. 34(e)(1).
<b>Response to Notice to Advise of Scheduling Conflicts</b>	Use to notify the court of conflicts with potential argument dates. See Fed. Cir. R. 34(d)(2) and Response to Notice to Advise of Scheduling Conflicts ( <a href="#">Form 32</a> ).
<b>Response/Opposition</b>	Use to respond to a document not covered by another response/opposition event, or to file an objection to a bill of costs. If filing a response brief, use the event <b>Brief/Appendix or Joinder</b> .

Document Types	Explanation
<b>Response/Opposition with Incorporated Motion</b>	Use when filing a motion as part of a response/opposition. The title of the document must reflect the incorporation of the motion. This event will allow the user to select the requested relief(s).
<b>Sealed/Confidential Document</b>	Use for any confidential document other than a brief or appendix. PDFs uploaded using this event will not be available for viewing; you must serve the parties by an alternative method. See Fed. Cir. R. 25(e)(3).
<b>Statement Concerning Discrimination – FCR 15(c)</b>	Use to file a statement concerning discrimination (see <a href="#">Form 10</a> ). For Merit System Protection Board and arbitrator cases only.. See Fed. Cir. R. 15(c).
<b>Status Report</b>	Use to file a status report that does not include an incorporated motion.
<b>Status Report with Incorporated Motion</b>	Use when filing a motion as part of a status report. The title of the document must reflect the incorporation of a motion. This event will allow the user to select the requested relief(s).
<b>Transcript Purchase Order Form</b>	Use to file a transcript purchase order form (see <a href="#">Form 22</a> ). <i>Note:</i> The transcript purchase order form is not required to be filed with this court. Refer to Fed. R. App. P. 10(b) for certifying compliance with transcript requirements. See also the Practice Notes to Rule 10.
<b>USERRA Notification Form</b>	Use this event to file a USERRA notification form (see <a href="#">Form 6B</a> ). For Merit System Protection Board cases only (if applicable).