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Clerk of Court

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February 17, 2005

To: Bill Walker
P.O. Box 698
Auburn, WA 98071

From: Office of the Clerk
By: Gabriela Van Allen, Deputy Clerk

Re: Receipt of a Deficient Brief of Appellant on 2/15/05

USCA No. 05-35023 Walker v. Members of Congress

The referenced brief cannot be filed for the following reason(s):

The following action has been taken with respect to the brief received in this office:

A MOTION TO FILE AN OVERSIZED BRIEF IS REQUIRED.

- *The deficiency by appellant is judged to be serious. We cannot file your brief. The deficiency must be corrected within 14 days or the case is subject to dismissal pursuant to 9th Cir. R. 42-1. The receipt of a seriously defective brief in this office does not toll the time for filing the brief while the defect is being corrected.*

9th Cir. R. 42-1 provides:

When an appellant fails to file a timely record, pay the docket fee, file a timely brief, or otherwise comply with rules requiring processing the appeal for hearing, an order may be entered dismissing the appeal. In all

instances of failure to prosecute an appeal to hearing as required, the Court may take such other action as it deems appropriate, including imposition of disciplinary and monetary sanctions on those responsible for prosecution of the appeal.

When submitting corrections to your brief or a corrected brief, **please return a copy of this letter.** If you don't submit your correction within 14 days of this notice, you must file a motion for leave to file a late brief. *See* 9th Cir. R. 31-2.3 re: Extensions of time for filing brief.