

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 03-1018

September Term, 2002

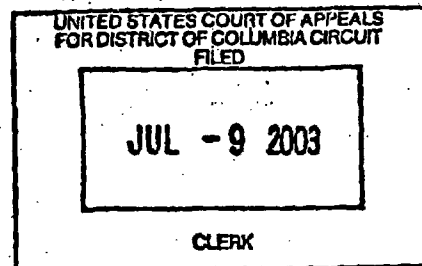
Filed On:

Margene Bullcreek, et al.,  
Petitioners

v.

Nuclear Regulatory Commission and United States of  
America,  
Respondents

Private Fuel Storage, L.L.C. and Skull Valley Band of  
Goshute Indians,  
Intervenors



Consolidated with 03-1022

## ORDER

It is **ORDERED**, on the court's own motion, that a briefing schedule be established as follows:

Petitioner's Brief	Wed, Aug 27 2003
Respondent's Brief	Fri, Sep 26 2003
Intervenor for Respondent's Brief	Tue, Oct 14 2003
Petitioner's Reply Brief	Tue, Oct 28 2003
Deferred Appendix	Tue, Nov 4 2003
Petitioner's Final Brief	Tue, Nov 18 2003
Respondent's Final Brief	Tue, Nov 18 2003
Intervenor for Respondent's Final Brief	Tue, Nov 18 2003
Petitioner's Final Reply Brief	Tue, Nov 18 2003

Petitioner must raise issues and arguments in the opening brief. The Court ordinarily will not consider issues and arguments raised for the first time in the reply brief.

The court reminds the parties that "a petitioner whose standing is not self-evident should establish its standing by the submission of its arguments and any affidavits or other evidence appurtenant thereto at the first appropriate point in the review

# United States Court of Appeals


FOR THE DISTRICT OF COLUMBIA CIRCUIT

---

proceeding. In some cases that will be in response to a motion to dismiss for want of standing; in cases in which no such motion has been made, it will be with the petitioner's opening brief and not ... in reply to the brief of the respondent agency. In either procedural context the petitioner may carry its burden of production by citing any record-evidence relevant to its claim of standing and, if necessary, appending to its filing additional affidavits or other evidence sufficient to support its claim. In its opening brief, the petitioner should also include in the 'Jurisdictional Statement' a concise recitation of the basis upon which it claims standing." *Sierra Club v. EPA*, 292 F.3d 895, 900-01 (D.C. Cir. 2002).

FOR THE COURT:

Mark J. Langer, Clerk

BY:   
Linda Jones  
Deputy Clerk