

United States Court of Appeals for the Tenth Circuit

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Patrick J. Fisher, Jr.
Clerk of Court

March 5, 2004

Ms. Sarah E. Penn
Office of the Attorney General
4545 N. Lincoln Blvd.
Suite 260
Oklahoma City, OK 73105-3498

Re: 04-9523, State of Oklahoma v. NRC
Dist/Ag docket: 40-827-MLA-5,

Dear Ms. Penn:

This petition for review was docketed today. Copies of the Tenth Circuit Rules, effective January 1, 2003, and the Federal Rules of Appellate Procedure, effective December 1, 2002, may be obtained by contacting this office or visiting our website at www.ca10.uscourts.gov.

We have served the petition for review on the respondent agency by mailing a copy of it to General Counsel, Nuclear Regulatory Commission, Mail Stop O-15-D21. Petitioner must serve a copy of the petition for review on all parties, other than the respondent, who participated in the proceedings before the agency. A list of the parties served must be filed with this office. If the list is not filed within 30 days of the date of this letter, the petition may be dismissed without further notice.

Enclosed is an Entry of Appearance form. Attorneys for parties must complete and file the form within 10 days from the date of this letter. Pro se parties must complete and file the form within 30 days from the date of this letter. See 10th Cir. R. 46.1. Appellant's failure to enter an appearance may cause the appeal to be dismissed. An appellee who fails to enter an appearance may not receive notice or service of orders.

Also enclosed is a docketing statement form which must be completed by petitioner and filed within 14 days of the date of this letter. See 10th Cir. R. 15.1.

The respondent agency shall file the record, or a certified list in lieu thereof, within 40 days after service upon it of the petition for review. See Fed. R. App. P. 17. If a certified list is filed, the entire record, or the parts the parties may designate, must be filed within 21 days after service of respondent's brief. See 10th Cir. R. 17.1.

Petitioner's opening brief must be filed within 40 days of the

date on which the certified list or record is filed. See 10th Cir. R. 31.1(B). Subsequent briefs must be filed as required by Fed. R. App. P. 31(a).

Please contact this office if you have questions.

Sincerely,

PATRICK FISHER
Clerk

By: *Opala Carter*
Deputy Clerk

PF:oac

cc:
General Counsel