

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157
Clerk@ca10.uscourts.gov

Christopher M. Wolpert
Clerk of Court

Jane K. Castro
Chief Deputy Clerk

December 07, 2021

Mr. Bruce C. Baizel
New Mexico Environment Department
Office of General Counsel
1190 South Saint Francis Drive
P.O. Box 5469
Santa Fe, NM 87502

Mr. William Gregory Grantham
Ms. Cholla Khoury
Mr. Zachary E. Ogaz
Office of the Attorney General for the State of New Mexico
201 Third Street NW, Suite 300
Albuquerque, NM 87102

**RE: 21-9593, Balderas, et al v. United States Nuclear Regulatory Commission,
et al**
Dist/Ag docket: 72-1050

Dear Counsel:

The certified list in this case was filed on December 7, 2021.

Petitioner's brief must be filed within 40 days of that date. *See* 10th Cir. R. 31.1(B). Respondent's brief must be filed 30 days after service of petitioner's brief. Petitioner may serve a reply brief within 14 days of service of respondent's brief.

Briefs must satisfy all requirements of the Federal Rules of Appellate Procedure and Tenth Circuit Rules with respect to form and content. *See* specifically Fed. R. App. P. 28 and 32 and 10th Cir. R. 28.1, 28.2, and 32.1, as well as 31.4 when applicable. Seven hard copies of briefs must be provided to the court within five business days of the court issuing notice that the electronic filing has been accepted. *See* 10th Cir. R. 31.5 and the court's [CM/ECF User's Manual](#). Counsel are encouraged to utilize the court's [Briefing & Appendix checklist](#) when compiling their briefs.

This matter will be heard on a record that the agency provides. *See* Fed. R. App. P. 17(a) and 10th Cir. R. 17.3. As a result, the parties need not file an appendix. If, however, any party wishes to file a separate appendix it should file a motion seeking that relief.

Please contact this office if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Wolpert', with a long horizontal flourish extending to the right.

Christopher M. Wolpert
Clerk of Court

cc: Andrew Averbach
Justin Heminger
Marian Zabler

CMW/jjh