

United States Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

DEBRA ANN LIVINGSTON
CHIEF JUDGE

Date: November 23, 2022

Docket #: 22-2682

Short Title: Malek v. New York State Unified Court System

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

DC Docket #: 21-cv-1230

DC Court: NDNY (SYRACUSE)

DC Judge: Sannes

DC Judge: Stewart

NOTICE OF DEFECTIVE FILING

On November 23, 2022, the Acknowledgment and Notice of Appearance Form, on behalf of the Appellant, was submitted in the above referenced case. The document does not comply with the FRAP or the Court's Local Rules for the following reason(s):

- Failure to submit acknowledgment and notice of appearance (*Local Rule 12.3*)
- Failure to file the Record on Appeal (*FRAP 10, FRAP 11*)
- Missing motion information statement (*T-1080 - Local Rule 27.1*)
- Missing supporting papers for motion (e.g, affidavit/affirmation/declaration) (*FRAP 27*)
- Insufficient number of copies (*Local Rules: 21.1, 27.1, 30.1, 31.1*)

Improper proof of service (*FRAP 25*)

X Missing proof of service – When submitting documents to the Court you must serve a copy to the Appellee’s side. The name and address are located on the General docket sheet attached.

- Served to an incorrect address
- Incomplete service (*Anders v. California 386 U.S. 738 (1967)*)
- Failure to submit document in digital format (*Local Rule 25.1*)
- Not Text-Searchable (*Local Rule 25.1, Local Rules 25.2*), click [here](#) for instructions on how to make PDFs text searchable
- Failure to file appendix on CD-ROM (*Local Rule 25.1, Local Rules 25.2*)
- Failure to file special appendix (*Local Rule 32.1*)
- Defective cover (*FRAP 32*)
- Incorrect caption (*FRAP 32*)
- Wrong color cover (*FRAP 32*)
- Docket number font too small (*Local Rule 32.1*)
- Incorrect pagination, click [here](#) for instructions on how to paginate PDFs (*Local Rule 32.1*)
- Incorrect font (*FRAP 32*)
- Oversized filing (*FRAP 27 (motion), FRAP 32 (brief)*)

_____ Missing Amicus Curiae filing or motion (*Local Rule 29.1*)
_____ Untimely filing
_____ Incorrect Filing Event
_____ Other: _____

Please cure the defect(s) and resubmit the document, with the required copies if necessary, no later than **December 19, 2022**. The resubmitted documents, if compliant with FRAP and the Local Rules, will be deemed timely filed.

Failure to cure the defect(s) by the date set forth above will result in the document being stricken. An appellant's failure to cure a defective filing may result in the dismissal of the appeal.

Inquiries regarding this case may be directed to 212-857-8546.