

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

Douglas J. Mincher
Clerk of Court

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July 30, 2015

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 14-10681-U
Case Style: Marion Wilson, Jr. v. Warden
District Court Docket No: 5:10-cv-00489-MTT

This Court requires all counsel to file documents electronically using the Electronic Case Files ("ECF") system, unless exempted for good cause.

For the purpose of the upcoming en banc rehearing in the above referenced case, the court desires for counsel to focus on their briefs on the following issues:

Is a federal habeas court required to look through a state appellate court's summary decision that is an adjudication on the merits to the reasoning in a lower court decision when deciding whether the state appellate court's decision is entitled to deference under 28 U.S.C. §2254(d)?

APPELLANT'S EN BANC BRIEF TO BE SERVED AND FILED ELECTRONICALLY ON OR BEFORE THURSDAY, AUGUST 27, 2015 BY 5:00 p.m. APPELLEE'S EN BANC BREIF SHALL BE SERVED AND FILED ELECTRONICALLY ON OR BEFORE MONDAY, SEPTEMBER 21, 2015 by 5:00 p.m. Any en banc reply brief shall be filed electronically on or before Thursday, October 1, 2015 by 5:00 p.m. NO EXTENSIONS WILL BE GRANTED. 20 copies of the en banc briefs should be filed (appellant's in blue covers, appellee's in red covers and any reply in gray covers). The parties are expected to insure that all other parties receive a copy of their briefs before the close of business on the day of filing. NO TIME FOR MAILING SHALL BE ALLOWED. The filing of an en banc amicus brief is governed by 11th Cir. R. 35-8.

All counsel are requested to submit 20 copies of their original panel briefs, appendix and supplemental authorities prior to 5:00 p.m., Thursday, August 27, 2015.

Oral argument will be conducted Tuesday, October 20, 2015, in Atlanta, Georgia at 9:00 a.m. Each party will be allotted 20 minutes per side for oral argument.

Sincerely,

DOUGLAS J. MINCHER, Clerk of Court

Reply to: Jenifer L. Tubbs (Calendar Clerk/Court Sessions Supervisor)
Phone #: 404-335-6131

BR-1CIV Civil appeal briefing ntc issued