

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**
212.857.8585

DENNIS JACOBS
CHIEF JUDGE

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

Notice to the Bar - Expedited Appeals Calendar

Effective December 15, 2010, pursuant to amended [LR 31.2\(b\)](#), the Court of Appeals for the Second Circuit will establish an Expedited Appeals Calendar ("XAC") to facilitate the prompt determination of appeals from district court orders that dismiss a complaint for (a) lack of subject matter jurisdiction under Fed. R. Civ. P. 12(b)(1); (b) failure to state a claim upon which relief may be granted under Fed. R. Civ. P. 12(b)(6); or (c) filing a frivolous complaint, or for any other ground specified in 28 U.S.C. §1915(e)(2).

If the order appealed from cites at least one of these grounds for dismissal, the parties must so identify the case by checking the appropriate box on [revised Form C](#). The Clerk notifies the parties when an appeal is placed on the XAC and sets the briefing schedule for all parties as follows: 35 days from the date of the Clerk's notification for the appellant's brief, 35 days from the date after the filing of the last appellant's brief for the appellee, and 14 days from the filing of the last appellee's brief for the reply. A request to extend the briefing time is disfavored and will be governed by [LR 27.1](#), which has not been amended.