

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK**

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Elisabeth A. Shumaker
Clerk of Court

January 12, 2009

Douglas E. Cressler
Chief Deputy Clerk

Samuel K. Lipari
3520 NE Akin Blvd., Suite 918
Lee Summit, MO 64064

RE: 08-3287, 08-3338, 08-3345, Lipari v. US Bancorp NA, et al
Dist/Ag docket: 2:07-CV-02146-CM-DJW

Dear Appellant:

The district clerk has transmitted to the court of appeals as the record on appeal, copies of all documents filed in the district court except those excluded by 10th Cir. R. 10.3(E).

Appellant shall file an opening brief within 40 days of the date of this letter. Failure to file a brief is ground for dismissal without further notice. Motions for extension of time are not favored and, absent extraordinary circumstances, will not be granted.

Appellant may use the Pro Se Brief form or may file a separate brief. If appellant elects not to use the form, appellant's brief must comply with the Federal Rules of Appellate Procedure and Tenth Circuit Rules. Failure to file a brief is grounds for dismissal without further notice.

Please contact this office if you have questions.

Sincerely,

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker". The signature is written in black ink and has a long, sweeping tail that extends to the right.

Elisabeth A. Shumaker
Clerk of the Court

cc: Andrew M. DeMarea
Andrew M. DeMarea
Jay E. Heidrick
Mark A. Olthoff

EAS/at