

From: eposone@mobil1.net
Subject: Bolden v. City of Topeka, et al Case No. 04-3306
Date: January 26, 2005 10:34:35 PM CST
To: esubmission@ca10.uscourts.gov
Cc: SPrice@Topeka.org
1 Attachment, 388 KB

January 26th, 2005

TO: Clerk of the Tenth Circuit Court
Byron White U.S. Courthouse
1823 Stout Street
Denver, CO 80257.

RE: Bolden v. City of Topeka, et al Case No. 04-3306, Kan. Dist. Ct. Case 02-02635

Dear Clerk of the Tenth Circuit Court,

Your office has received my January 20th, 2005 motion requesting an extension of time in which to file the opening brief. This Tenth Circuit motion is also entered in the District Court appearance docket of the Bolden case on January 20th, 2005.

On January 25th, after several weeks of inquiries, I was informed by the district court clerk that handles appeals that the erroneous notice the record on appeal was complete sent to you previously was being corrected and that the letter was being prepared for you.

Today, however I observe that neither the entry of the correction appears yet on the district court docket and my motion requesting an extension of time does not appear on your appearance docket.

I am filing a brief today for James Bolden via US Mail delivery service and via email in pdf format. I am mailing you today via US Mail delivery service two copies of the appendix which is the complete and final appendix for the brief, it is unfortunately larger than your email file size limit.

If the record on appeal correction or the motion for extension gives more time for Bolden to file an appellant brief, please disregard today's brief, but retain the appendix and I will serve on you and opposing counsel the final version of the opening brief by its new due date.

Respectfully Submitted

S/Bret D. Landrith

Bret D. Landrith
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Certificate of Service

I certify I have sent a copy of this cover letter and the appendix via U.S. Mail delivery service to opposing counsel for the City of Topeka on January 26th, 2005:

Sprice@topeka.org

Sherri Price
City of Topeka
215 E. 7th
Topeka, KS 66603

S/Bret D. Landrith

Bret D. Landrith
Kansas Supreme Court Number 20380

ATTACHMENT 12