

**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: December 09, 2021

Docket #: 21-1463cv

Short Title: Gayle v. Harry's Nurses Registry

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

DC Docket #: 07-cv-4672

DC Court: EDNY (BROOKLYN)

DC Judge: Garaufis

NOTICE OF DEFECTIVE FILING

On 12/08/2021 the SUPPLEMENTARY PAPERS TO MOTION on behalf of Appellant Harry Dorvilien and Harry's Nurses Registry, 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*)
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 - _____ Incomplete service (*Anders v. California 386 U.S. 738 (1967)*)
- _____ Failure to submit document in digital format (*Local Rule 25.1*)
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- _____ Failure to file appendix on CD-ROM (*Local Rule 25.1, Local Rules 25.2*)
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- _____ Defective cover (*FRAP 32*)
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- _____ 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: A motion for permission to file a sur-reply is required.**

Please cure the defect(s) and resubmit the document, with the required copies if necessary, no later than 12/13/2021. 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 212-857-8563.