

MOTION FOR LEAVE TO APPEAL

Updated 4/8/2021

Description: This process shows the steps required for an external user to complete a Motion for Leave to Appeal on CM/ECF. Pursuant to FRBP 8004, an appeal from an interlocutory judgment, order or decree of a bankruptcy judge shall be taken by filing a Notice of Appeal accompanied by a Motion for Leave to Appeal.

STEP 1 - Click on the **Bankruptcy** hyperlink on the CM/ECF Main Menu Bar.

STEP 2 - The BANKRUPTCY EVENTS screen displays.

- Click on **Motions/Applications** hyperlink.
- For further information on each of these categories, click the **Help** button located on the CM/ECF menu bar.

STEP 3 - The CASE NUMBER screen displays.

- Enter the case number for the appropriate case.
- Click the **[Next]** button.

STEP 4 - The EVENTS screen displays.

- Select **"Leave to Appeal"** from the list of events.
- Click the **[Next]** button.

STEP 5 - The JOINT FILING screen displays.

- Click in the box if the document is being filed with another attorney.
- Click the **[Next]** button.

- Click the **[Next]** button.

STEP 6 - The SELECT PARTY screen displays.

- Select the party that the filing attorney is representing from the list.
- If the correct party does not appear in the drop-down box
- click **Add/Create New Party** and complete the information.
- Click the **[Next]** button.

STEP 7 - The ASSOCIATION screen appears (if attorney has not been previously associated with party).

- Click box to associate filing attorney with the filing party.
- Click the **[Next]** button.

STEP 8 - The SELECT PDF screen displays.

- Select the .pdf file to associate with this event.
- Browse in the .pdf file and if you have any attachments, select the YES radio button and browse in the .pdf file attachments to your main document.
- Click the **[Next]** button.

STEP 9 – The REFERENCE AMENDED MOTION screen displays.

- If the motion is amending a previous motion, select **YES** from the drop-down list; otherwise select **NO**.
- Click the **[Next]** button.

STEP 10 - The REFER TO EXISTING EVENTS screen displays.

- Click inside the box to place a check mark indicating that this filing DOES refer to an existing document in the case. It is necessary to select the box in order to establish the correct linkages.
- Click the **[Next]** button.

STEP 11 - The EVENTS REFERENCE screen displays.

- Select the category to which the event relates, e.g., order, motion, etc.
- Click the **[Next]** button.

STEP 12 - The SELECT REFERENCED DOCUMENT screen displays.

- Click to select the related document or event for which this is associated.
- Click the **[Next]** button.

STEP 13 - The MODIFY DOCKET TEXT screen appears.

- Modify text as necessary.
- You may wish to enter the title of the associated document in the text box at this time, as the event does not automatically include this information in final text.
- Click the **[Next]** button.

STEP 14 - The FINAL DOCKET TEXT screen displays.

- This is the last opportunity to verify the accuracy of the information. Submission of this screen is final.
- If the final docket text is incorrect, click the browser **[Back]** button to find the screen needed to modify.

NOTE: If the **[Back]** button is used and case information is altered, you must use the **[Next]** button and resubmit for each screen or the changes will not take effect. In other words, do not use the **[Forward]** button on the browser if you alter information on a previous screen.

- To abort or restart the transaction, click the Bankruptcy hypertext link on the Menu Bar.
- Click the **[Next]** button if correct.

Sample Docket Text: Final Text

Motion for Leave to Appeal Filed by Bill Attorney on behalf of ABC Bank (related document(s) [30]). (Attorney, Bill)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Have you redacted?

STEP 15 - The NOTICE OF ELECTRONIC FILING screen displays.

- The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court's database. It certifies that the document filed is now an official court document. It is recommended that you print this screen for your records since it also includes the date, time, case number and document number.