



# LANTAGNE LEGAL PRINTING

*"Your Brief Printing Specialist"*

801 East Main Street, Suite 100  
Post Office Box 2472  
Richmond, Virginia 23219-2472  
804-644-0477 • 800-847-0477  
Facsimile: 804-644-3336  
[www.lantagne.com](http://www.lantagne.com)  
E-Mail: [lantagne@lantagne.com](mailto:lantagne@lantagne.com)

Donald G. Lantagne  
Anthony G. Lantagne  
May Serafim  
E. E. "Sandy" Sanders, Esq.  
Richard A. Markell  
Brian D. Rucker  
Allison Miller  
Denise Dulong

## Court of Appeals of Virginia Digital Brief Package

-Effective July 1, 2009 -

Following this cover page you will find the Court of Appeals' instructions and requirements for the submission of the Digital Brief Package (DBP). The DBP is a collection of Portable Document Format (PDF) files that are filed and served in conjunction with the paper copies filed and served.

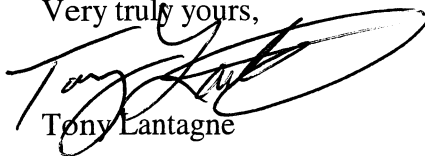
The DBP brief is to be created from a word processed document, not a scanned document, to make the brief searchable in PDF.

The DBP also requires a digital copy of the appendix to be filed - one that has been processed through Optical Character Recognition (OCR) for any scanned documents in order to make the appendix PDF searchable.

The following sheets were prepared by the Clerk's Office of the Court of Appeals of Virginia and explain the process in detail. If printing and filing your brief and appendix in-house, we suggest a careful review of the new requirements.

Of course, Lantagne Legal Printing takes care of all these new requirements when working with you on your appeal. If you have any questions or would like to discuss these new requirements, just give us a call.

Very truly yours,



Tony Lantagne

**Court of Appeals of Virginia Clerk's Office**  
**Digital Brief Package**  
**Procedures for Creation and Submission**

**A. The Digital Brief Package**

1. The Digital Brief Package (DBP) is the collection of Portable Document Format (PDF) files and documents.
  - a. A PDF is a document
  - b. A PDF File is a collection of PDF documents.
  
2. Submission of the DBP
  - a. Submission of DBP will be accepted via CD or DVD.
  - b. The CD format must be compatible with Windows 2000, see Attachment A on page 9.
  - c. The CD or DVD should be labeled with Record #, Case Style, Document Type, Counsel Address Information, and Printing Company Address Information.
    - (i) Example: 2132-07-1, Jones v. Davis, Appellee's Brief, Smith, Lee & Jones, P.C., 444 The Boulevard, Suite 202, Richmond, VA, 23555, ABC Company, 123 Main Street, Richmond, VA 23219, (804) 123-5555, Fax: (804) 123-0000, www.abc.com
  - d. The CD or DVD should be placed inside the back cover of four (4) copies of the Brief.
  - e. The DBP shall also be provided to the opposing counsel along with a hard copy of the filing.
  - f. Upon receipt of the DBP, a received date will be noted on the DBP.
  - g. Upon receipt of the DBP, a Quality Assurance (QA) Checklist will be completed for each DBP, see Attachment B on page 11.
  
3. Name Format – use underscores to replace spaces
  - a. Opening Brief PDF: Opening\_Brief\_Record#.pdf
    - (i) Example: Opening\_Brief\_2132-07-1.pdf
  - b. Appellee Brief PDF: Appellee\_Brief\_Record#. pdf
    - (i) Example: Appellee\_Brief\_2132-07-1.pdf
  - c. Reply Brief PDF: Reply\_Brief\_Record#.pdf
    - (i) Example: Reply\_Brief\_2132-07-1.pdf
  - d. Appendix PDF: Appendix\_Record#.pdf
    - (i) Example1: Appendix\_2132-07-1
    - (ii) Example2: Appendix2\_2132-07-1
  
4. PDF Format - the following document properties must be set for the Initial View
  - a. Navigation tab: Bookmarks Panel and Page
  - b. Page layout: Single Page
  - c. Magnification: Fit Width
  - d. Open to page: 1

## **B. The Brief**

1. The Brief must be created from a WORD document, i.e., not a scanned document, to make the Brief searchable.
2. The Brief must include a Table of Contents (TOC).
3. The TOC in the Brief must be listed in page number order, see Example I on page 4.
4. The Table of Authorities/Citations (TOA) in the Brief must be listed in alphabetical order under each type of authority, e.g., case law, statutes, and rules; see Example II on page 5.
5. Entries in the TOC of the Brief must be bookmarked to the appropriate page in the Brief.
6. Entries in the TOA of the Brief must be bookmarked to the appropriate page in the Brief.
7. Each page in the Brief must have a page number located in the center section of the page footer. (Please note: Page rotation for proper viewing must be completed before page numbering).
8. The page numbering in the TOC and TOA of the Brief is not to be included in the page numbering sequence of the Brief.
9. The page numbering in the TOC and TOA of the Brief is to be assigned thumbnail page numbers by Roman Numerals, e.g., i, ii, iii, iv, etc.
10. The thumbnail page numbers in the Brief must correspond with the page numbers in the page footer.
11. Appendix references in the Brief may be hyperlinked to the appropriate location in the Appendix. Please note: The Brief and Appendix must be located in the same folder.
12. Hyperlinks may be used to reference authorities, e.g., case law, statutes, and rules. If used, a copy of the authority must be included. Please note: All reference authorities must be located in the folder with the Brief.

### **C. The Appendix**

1. The Appendix must include a Table of Contents.
2. The TOC in the Appendix must be in chronological order, see Example III on page 6.
3. Entries in the TOC of the Appendix must be bookmarked to the appropriate page in the Appendix.
4. Each page in the Appendix must have a page number located in the center section of the page footer. (Please note: Page rotation for proper viewing must be completed before page numbering).
5. The page numbering in the TOC of the Appendix is not to be included in the page numbering sequence of the Appendix.
6. The page numbering in the TOC of the Appendix is to be assigned thumbnail page numbers by Roman Numerals, e.g., i, ii, iii, iv, etc.
7. The thumbnail page numbers in the Appendix must correspond with the page numbers in the page footer.
8. The Optical Character Recognition (OCR) option must be applied to all scanned PDF documents in the Appendix that contain text, to make the PDF searchable.
9. Every reasonable attempt must be made to ensure that all pages in the Appendix are readable, including date stamps, handwritten notes, photographs, etc.
10. When appropriate, exhibits in the Appendix must be scanned on both sides.
11. All pages in the Appendix must be aligned properly for viewing without rotation.

**Example I: Brief Table of Contents Template**

**TABLE OF CONTENTS**

	<b>Page</b>
Table of Authorities.....	ii
Statement of the Case.....	1
Questions Presented.....	2
Statement of Facts.....	3
Argument.....	4
Conclusion.....	5
Signature.....	6
Certificate.....	7

**Example II: Brief Table of Authorities Template**

**TABLE OF AUTHORITIES**

<b>CASES</b>	<b>Page</b>
Amber Co. v. Amber, 62 Va. 175, 601 S.E. 394 (1970).....	4
Blue Co. v. Blue, 162 Va. 175, 601 S.E. 394 (1962).....	5
Cream Co. v. Cream, 262 Va. 175, 601 S.E. 394 (1999).....	7
Green Co. v. Green, 362 Va. 175, 601 S.E. 394 (2000).....	2
Ivory Co. v. Ivory, 462 Va. 175, 601 S.E. 394 (1976).....	6
Yellow Co. v. Yellow, 562 Va. 175, 601 S.E. 394 (1976).....	6

**STATUTES**

Va. Code § 18.2-248.....	1
Va. Code § 18.2-248.1.....	1
Va. Code § 18.2-248.2.....	1
Va. Code § 18.2-248.4.....	1

**Example III: Appendix Table of Contents Template**

**TABLE OF CONTENTS**

	<b>Page</b>
Warrant of Arrest (Va. Code § 17.2-345) filed April 5, 2002.....	4
Commitment Order of The Commonwealth of Virginia entered April 5, 2002.....	5
Executed Witness Subpoena Detective John Smith filed April 5, 2002.....	6
Certificate of Analysis filed April 5, 2002.....	7
Indictment (Va. Code § 17.2-345) filed April 5, 2002.....	8
Criminal Order of The Honorable John Smith Re: Setting Trial Date entered May 5, 2002.....	9
Transcript of Trial Proceedings before The Honorable John Smith Re: Setting Trial Date on May 5, 2002.....	10
<u>Testimony of Detective John Smith:</u>	
Direct Examination by Mr. John Smith.....	11
Cross Examination by Ms. John Smith.....	12

Transcript of Trial Proceedings before  
The Honorable John Smith  
Re: Setting Trial Date  
on May 5, 2002 , continued:..... 13

Commonwealth's Exhibits:

1. Criminal Order of  
The Honorable John Smith  
Re: Setting Trial Date  
dated May 15, 2002..... 14

2. Certificate of Analysis  
dated June 15, 2002..... 15

Criminal Order of  
The Honorable John Smith  
Re: Conviction  
entered July 5, 2002..... 16

Motion and Order to Withdraw of  
The Circuit Court for ABC  
entered July 5, 2002..... 17

Criminal Order of  
The Honorable John Smith  
Re: Motion to Withdraw Granted  
entered August 5, 2002..... 18

Defendant's Motion to Withdraw  
filed August 5, 2002..... 19

Request for Appointment of a Lawyer  
filed August 25, 2002..... 20

Criminal Order of  
The Honorable John Smith  
Re: Motion to Withdraw Granted and New Counsel Appointed  
entered August 25, 2002..... 21

Defendant's Motion to Continuance  
filed September 5, 2002..... 22

Continuance Order of  
The Honorable John Smith  
entered September 6, 2002..... 23

Transcript of Trial Proceedings before  
The Honorable John Smith  
on October 30, 2002..... 24

Testimony of Detective John Smith:

Direct Examination by Mr. John Smith..... 25  
Cross Examination by Ms. John Smith..... 26

Defendant's Exhibits:

1. Guidelines Recommendations  
    undated ..... 27

2. Letters to  
    ABC Circuit Court from  
    John Smith  
    Re: Employment Status of Joe Smith  
    With Attachments,  
    dated November 15, 2002..... 28

Transcript of Trial Proceedings before  
The Honorable John Smith  
on November 30, 2002 continued:..... 29

Defendant's Exhibits, continued:

3. Magazine Article  
    undated ..... 30

Sentencing Guidelines  
    filed December 15, 2002..... 31

Sentencing Order of  
The Honorable John Smith  
    entered December 15, 2002..... 32

Defendant's Notice of Appeal  
    filed December 20, 2002..... 33

Criminal Order of  
The Honorable John Smith  
Re: Counsel Appointed  
    entered December 20, 2002..... 34

Defendant's Motion for Bond Hearing  
    filed December 20, 2002..... 35

## Attachment A

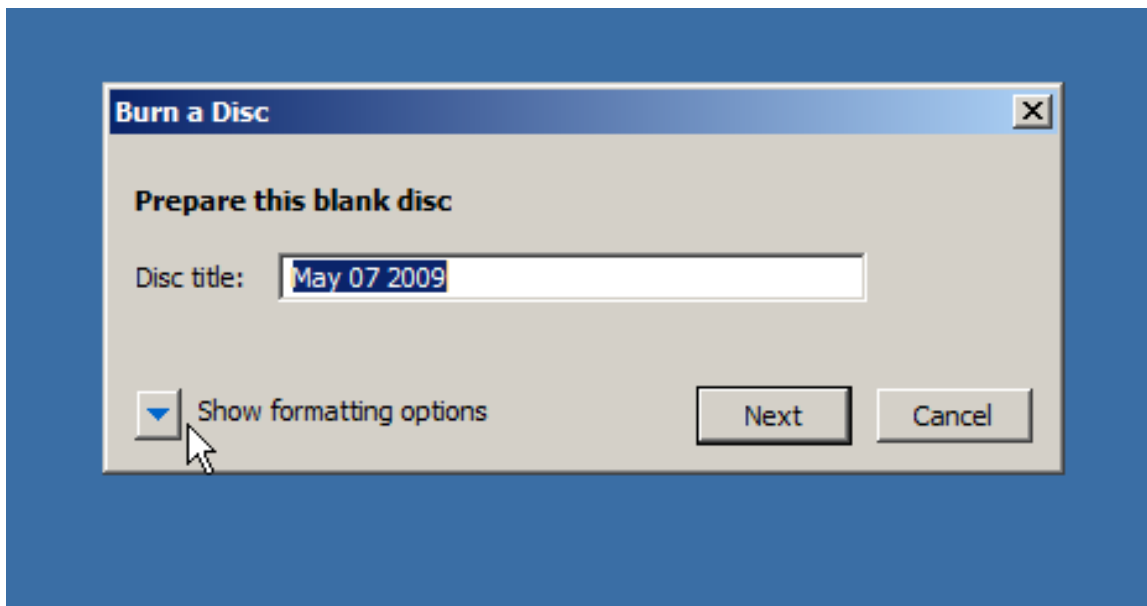
### How to format a Windows Vista CD to be read by Windows 2000

**Problem** – Incompatible CD formats received by the Court of Appeals Clerk’s Office from printing companies submitting Digital Briefs and Appendices.

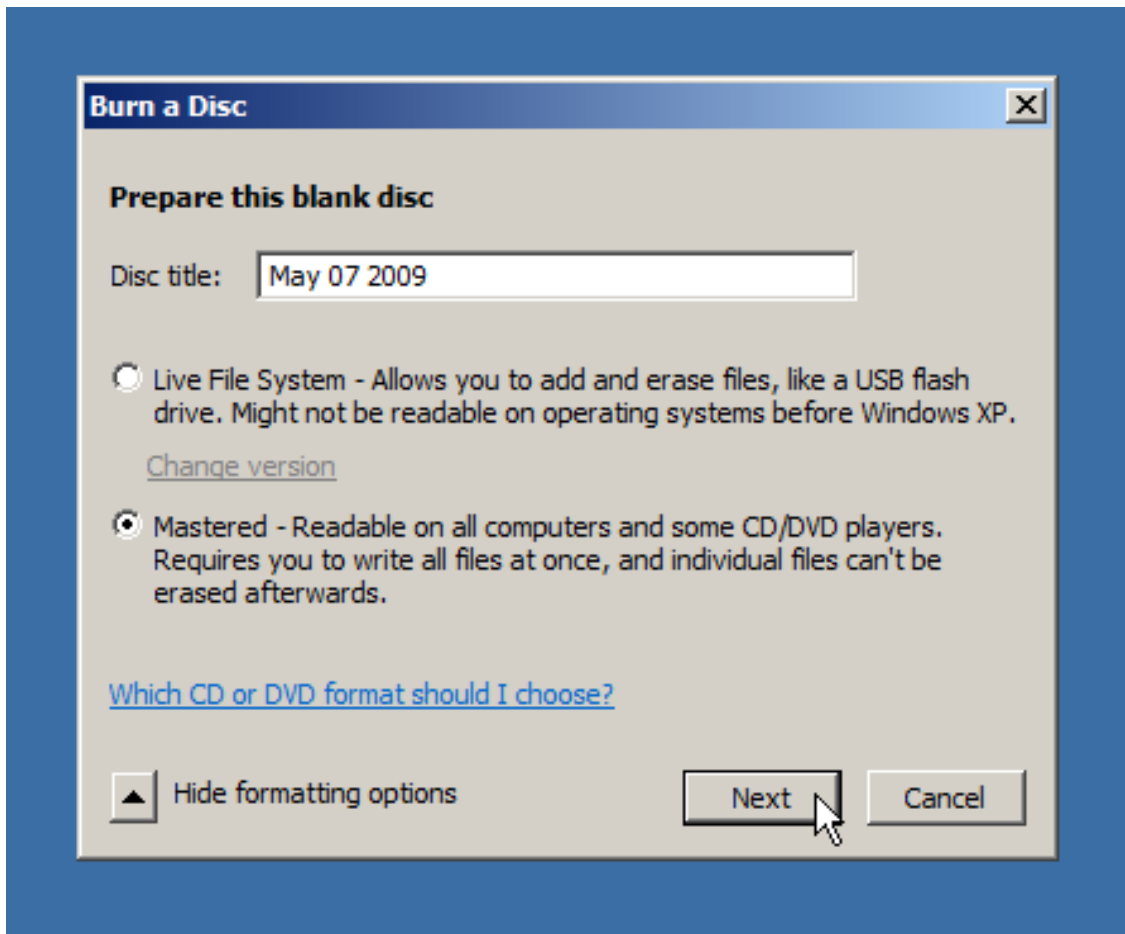
**Synopsis** - CDs are being created using the LFS 2.5 (Live File System) CD format, which is the default CD format for the latest versions of Windows, i.e. Vista. However, this format is not compatible with earlier versions of Windows, specifically, Windows 2000, which is the operating system used currently by the Clerk’s Offices of the Court of Appeals and the Supreme Court of Virginia. Windows 2000 workstations work with the Mastered CD format.

**Solution** – If using a commercial product, e.g. Nero or Roxio, to burn CDs, check the format settings and modify to the Mastered format. For users burning CDs using the built-in Windows Vista application, here are the steps to change the default LFS format to the Mastered format.

1. When the “Burn a Disc” window appears, select the “Show formatting options” down arrow.



2. When the “Burn a Disc” with formatting options appears, select the Mastered option and click Next.



Please note that discs formatted with the Mastered option:

- Don't copy files immediately, meaning you need to select the entire collection of files that you want to copy to the disc, and then burn them all at once.
- Are compatible with older computers (Windows 2000) and devices such as CD players and DVD Players.

## Attachment B

### Quality Assurance (QA) Checklist

Received From:  
 DBP Name:  
 Evaluated By:  
 Date:

The Digital Brief Package received by the Court of Appeals of Virginia has errors; please correct the errors noted below and resubmit the package.

1 –	The Brief	Comment
<input type="checkbox"/>	CD submission standards were not followed, i.e., number of CDs, format, label, and placement of CDs.	
<input type="checkbox"/>	Brief naming format standard was not followed.	
<input type="checkbox"/>	Initial view standards were not followed.	
<input type="checkbox"/>	Paper Brief was not the same Brief on the CD.	
<input type="checkbox"/>	No TOC was included and/or TOC entries were not listed in page number order.	
<input type="checkbox"/>	No TOA was included and/or TOA entries were not listed in alphabetical order under each type of authority.	
<input type="checkbox"/>	TOC and/or TOA entries were not bookmarked to the appropriate page.	
<input type="checkbox"/>	Page numbering was not located in lower center section of the page.	
<input type="checkbox"/>	TOC and/or TOA were not numbered using lowercase Roman Numerals (i, ii, iii, etc).	
<input type="checkbox"/>	Thumbnail pages were not numbered correctly.	
2 –	The Appendix	Comment
<input type="checkbox"/>	No TOC was included and/or TOC entries were not listed in chronological order.	
<input type="checkbox"/>	TOC entries were not bookmarked to the appropriate page.	
<input type="checkbox"/>	Page numbering was not located in lower center section of the page.	
<input type="checkbox"/>	TOC was not numbered using lowercase Roman Numerals (i, ii, iii, etc).	
<input type="checkbox"/>	Thumbnail pages were not numbered correctly.	
<input type="checkbox"/>	Optical Character Recognition (OCR) feature was not applied.	
<input type="checkbox"/>	Pages were not aligned properly for viewing or were not readable	
3 –	Others	Comment