



March 2013

## U.S. DISTRICT CLERK'S COURTERLY



**Mark L. Carman**

**Numbers to  
Remember:  
Clerk's Office Cheyenne  
307-433-2120  
Clerk's Office Casper  
307-232-2620**

Haven't used  
CM/ECF in awhile?  
Take an electronic  
refresher course at:

[http://www.pacer.gov/  
psc/etraining.html](http://www.pacer.gov/psc/etraining.html)

**Have a nomination for the  
Sidebar section?  
Please contact Tiffany at the  
Casper Clerk's Office at  
307-232-2620**

Mark L. Carman was sworn in as United States Magistrate Judge on February 25, 2013 at the Yellowstone Justice Center in Mammoth, Wyoming. Judge Carman was selected by the District Judges for the District of Wyoming following an application and interview process. He will reside and office in Yellowstone National Park.

Judge Carman received his B.S. in Wildland Hydrology from Colorado State University in 1978 and his J.D. in 1981 from the University of Wyoming. During his legal career he worked as a prosecuting attorney for District Attorney's Offices in Casper, Wyoming and California. He practiced both plaintiff and defense civil litigation as a shareholder with Williams, Porter, Day and Neville, P.C. and Balzer Carman Murdock, L.L.C. from 1988 to 2005. In 2005, he formed Carman Law Office, P.C. in Billings, Montana, a litigation firm representing clients in Wyoming and Montana and was *Of Counsel* with Brown, Drew & Massey, L.L.P. His practice focused on personal injury, aviation, and oil and gas litigation. He provided instruction in Aviation Law as an adjunct professor for Rocky Mountain College. Judge Carman has been admitted to the practice of law in Wyoming, Montana, California and Colorado.

Judge Carman and Nancy Thornton Carman have enjoyed over 26 years of marriage and are the proud parents of three daughters. He holds a private pilot certificate with instrument and multiengine ratings. Judge Carman enjoys equestrian competition, fishing, scuba diving and tennis. He has served on various non-profit boards, including Ronald McDonald House of Billings, Warfield Equestrian Park, Wyoming Symphony Orchestra and the Wyoming Medical Center Foundation. The District of Wyoming congratulates and welcomes The Honorable Mark L. Carman to the Yellowstone Justice Center.



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**Wyoming Fun Fact**  
The name Wyoming comes from a Delaware Indian word "Maughwauwama" which means "on the plains" or "large plains".

Dear Debbies!!!!  
This section is dedicated to answering questions from our users. Please submit questions by email to:  
deardebbies@wyd.uscourts.gov

**Please remember to use the new civil cover sheet!**

## U.S. DISTRICT CLERK'S COURTERLY

### Notice of Appeal

To file a notice of appeal, please use the Notice of Appeal event located in the appeal documents tab of both the criminal and civil menus. If you use another type of notice, the appeals team will not be notified that an appeal has been filed.

### United States Passport Applications Information

The Casper and Cheyenne Offices have authorized Passport Acceptance Agents available to process passport applications.

**Effective 1/28/2013, appointments in Cheyenne will only be available during these times:**

Tuesdays between 9:00 am - 12:30 pm

Wednesdays between 10:00 am - 12:00 pm

Thursdays between 12:30 pm - 4:00 pm

To schedule an appointment for one of the above times in **Cheyenne**, please call us at **307/433-2120**.

The **Casper** office can schedule appointments anytime from 8:30 am-12:00 pm and 1:00 pm -5:00 pm, Monday - Friday. **Please call us at 307/232-2620** to make an appointment.

NOTE: if you have all your information with you when you come, the *process should take no more than 15 minutes* per application.

Personal checks or money orders are acceptable - **this office cannot accept cash or credit cards.**

Passports obtained through our offices **usually take 4-6 weeks** to process.

If you need an expedited passport, they can arrive in 2-3 weeks, but *there is a \$60.00 additional charge for this procedure.*

Visit the State Department website for [application forms](#), [current fees](#), and [more information regarding US passports](#). [www.travel.state.gov](http://www.travel.state.gov)

Application forms are also available from both Clerks' Offices.



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psc/etraining.html](http://www.pacer.gov/psc/etraining.html)

**CM/ECF 6.1**  
**COMING SOON!**  
**Be on the lookout**  
**for information on**  
**what's new!**



# U.S. DISTRICT CLERK'S COURTERLY

## Filing Pro Hac Vice Motions in CM/ECF

Attorneys may file a Motion to appear Pro Hac Vice electronically, however you do not have the option to pay the \$100 filing fee through pay.gov during the docketing of the motion. There are several options to complete payment of the fee:

\*Send a check to the Clerk's Office, include the attorney's name and case number

\*Pay via credit card by calling the Clerk's Office once the motion has been granted

\*Use the CM/ECF event payment entry found under other documents to submit the fee using pay.gov once the motion has been granted.

## Compound Pleadings

Please separate your pleadings for each matter upon which adjudication or a ruling of the Court is sought.

**\*\*For example—Do not file a Motion to Extend Deadlines, which is referred to the Magistrate Judge and a Motion for Summary Judgment, which is ruled on by an Article III Judge in the same pleading\*\***

## Check Capture scheduled to GO LIVE May 1, 2013

Check capture facilitates deposits to the U.S. Treasury by converting manual paper check receipting into electronic fund transfers for deposit in a designated financial institution.

## PDF/A Format

The Administrative Office of the United States Courts (AO) is currently not recommending the use of portable document format for archiving (PDF/A) with CM/ECF. Courts that have tested this format have discovered problems when uploading PDF/A documents into CM/ECF. The Technology Division of the AO is currently developing solutions for this document compliance problem. Until those problems are resolved, the District of Wyoming is not recommending the use of the PDF/A format.



## SIDEBAR

### The Profile of a Wyoming Lawyer

### **Monty Barnett** **Denver, CO**



#### **Tell me about yourself -**

I was born and raised in Hanna, Wyoming and am the fourth-generation of my family that worked in the Wyoming coal mines. When I was 18 months old, my maternal grandfather was killed in a mining accident. My father, who worked on the same crew with my grandfather, was deeply shaken by this and quit his job at the mine and went to work as a ranch manager for the next 15 years, before returning to the mines when my brother and I were in high school. Following high school I worked at the mines for 6 years before starting college at the University of Wyoming in 1985, where I remained for the next 7 years before graduating from law school in 1992.

After my second year of law school I worked as a law clerk for White & Steele in Denver. They offered me a job following law school and I am now starting my 21<sup>st</sup> year at White & Steele. Although I work out of Denver, my practice focuses exclusively on Wyoming cases, which brings me back to Wyoming on a regular basis.

Outside of work, I enjoy spending time outdoors with my family. Fortunately, 3 of my 4 grandchildren live in the Denver area so we get to spend a lot of time together. Several years ago we bought a cabin in Esterbrook, near the base of Laramie Peak, so the grandchildren, my dogs, and I head north on I-25 every time that mothers and grandmothers will allow. Constant discussion about the evils of video games, how soft "city folks" are, and the secrets to living off the land, has led to the misconception held by my 7 year old grandson that he and papa are true mountain men.

## **Why did you decide to go to law school –**

It is difficult for me to identify a defining moment or event that led to my decision to be an attorney. There were no attorneys in my family and my parents never had the need for an attorney, so I was not influenced in that regard. As I have reflected on this question over the years I have come to the conclusion that my experience as a juror years ago was perhaps what steered me toward the law. In approximately 1982, I was still working in the mines in Hanna and was called for jury duty in Rawlins. I made the final cut and found myself as a juror in a large medical malpractice case that took about 2 weeks to try. I was very impressed with both attorneys and, since becoming an attorney myself, I have learned that the attorneys were two of the most respected attorneys in the state; Paul Godfrey and Joseph Cardine.

As an interesting side note, during law week of my first year of law school, the Wyoming Supreme Court heard oral arguments at the law school. As the Court entered the courtroom I immediately recognized the Chief Justice as one of the attorneys that tried the case I was a juror on. I, of course, introduced myself to Justice Cardine at the reception afterwards and over the next several years we came to be quite good friends. I still smile when I think about the time I argued a case to the Wyoming Supreme Court as part of my participation in Professor Gallivan's defender aid clinic during my third year of law school. I ran into Justice Cardine in the hallway prior to oral arguments. He was in his black robe and when he saw me he placed his hand on my shoulder and said "who would have thought 10 years ago, when I was arguing a case to you, that someday you would be arguing a case to me." All I could think to say was "I hope you are just as attentive as I was." He laughed and then beat the hell out of me in the courtroom.

## **What has kept you inspired and energized over the years –**

The recognition of the importance of family. My family has been very supportive and understanding of the demands of being an attorney and I, in turn, do my best to ensure that we get to spend as much quality time together as possible. I think it is important to be deliberate in blocking time off of our calendars to plan time at the cabin or to schedule family vacations, and I have found this to be the best source of energy for me. I am inspired by the hard work ethic of my parents and the commitment demonstrated by my son who has been in the Army for the last 12 years, having served 2 tours in Iraq.

I also set aside a week every September to go on the annual Hole in the Wall Gang trail ride near Kaycee. This gang of misfits just celebrated its 35<sup>th</sup> anniversary and I have been going on the rides since 1996. Being part of this group and riding horses through the red wall country is always a reinvigorating experience.

## **What do you like best about being a Wyoming lawyer –**

Because the Wyoming bar is really a relatively small group, we often find ourselves working with or against many of the same people year after year. This lends itself to the development of long-lasting friendships that many other professions are lacking. We are also very fortunate to have some very good judges to work with and the judiciary does a good job of making themselves available to the attorneys practicing before them. These relationships make these very demanding jobs much easier.