

Submitting the Respondent Answering Brief in an Immigration Petition

CAUTION: You must use [CM/ECF](#) to submit *any* filing in an immigration petition that was opened *before May 1, 2021*. CM/ECF case numbers start with the year, followed by a hyphen, and a 5-digit number starting with a 7, for example 21-70000.

This document provides step-by-step instructions for submitting the respondent answering brief in an immigration petition opened on or after 5/1/2021 in the U.S. Court of Appeals for the Ninth Circuit using the e-filer portal.

If, after reviewing the information in this document, you still have questions, send an email to efilerhelp@ca9.uscourts.gov.

REMINDER: You must have a PACER account with authorization to file electronically in the U.S. Court of Appeals for the Ninth Circuit. This is the same account that you use to log in and file in CM/ECF in the U.S. Court of Appeals for the Ninth Circuit.

1. Navigate to <https://ca9-portal.powerappsportals.us> and in the E-Filer portal page that opens, click the hamburger icon in the upper right corner of the page.



2. Click **Sign in** and at the PACER login page, enter *your* PACER credentials and click **Login**.
3. At the Redaction Agreement dialog box, select the “**I understand ...**” checkbox and click **Continue**. The 9th Circuit Court of Appeals E-Filer Portal page has been updated: your name is shown in the upper right corner of the page, and a navigation bar has been added below the court banner.

4. In the list of cases, click the **Case Number** link of the case where you are submitting the answering brief.

The Case Details page opens. If you have deadlines in the case (as counsel for respondent), those deadlines are shown on this page. In the example below, there is one pending deadline for respondent: Answering brief.

Home > Case Details

Case Details

General

Case Number	Case Title	PFR Received Date	Fee Status
21-247	Godfried v. Garland	5/7/2021	Due

[Pay Filing Fee](#) [Create a New Filing](#)

Deadlines

Case Deadline Name	Party	Due Date	Deadline Status
Respondent Answering Brief due	Merrick B. Garland	10/13/2021	

5. Click the **Create New Filing** button.

The New Filing page opens. You submit the answering brief in response to the opening brief submitted by the petitioner. In the illustration below, petitioner submitted their opening brief at docket entry 4 and ACMS is showing you that entry so that you can respond.

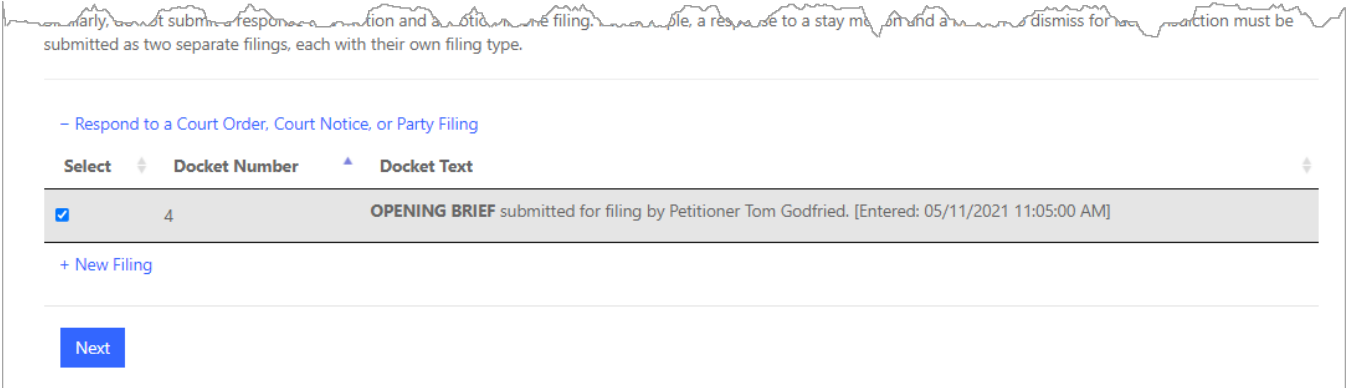
IMPORTANT: Each request for relief must be submitted as a separate filing. Do not combine multiple requests for relief into one PDF or one filing. For example, a motion to extend time to respond to a motion and a motion to dismiss for lack jurisdiction must be submitted as two separate motions, each with their own filing type. Similarly, do not submit a response to a motion and a motion in one filing. For example, a response to a stay motion and a motion to dismiss for lack jurisdiction must be submitted as two separate filings, each with their own filing type.

[- Respond to a Court Order, Court Notice, or Party Filing](#)

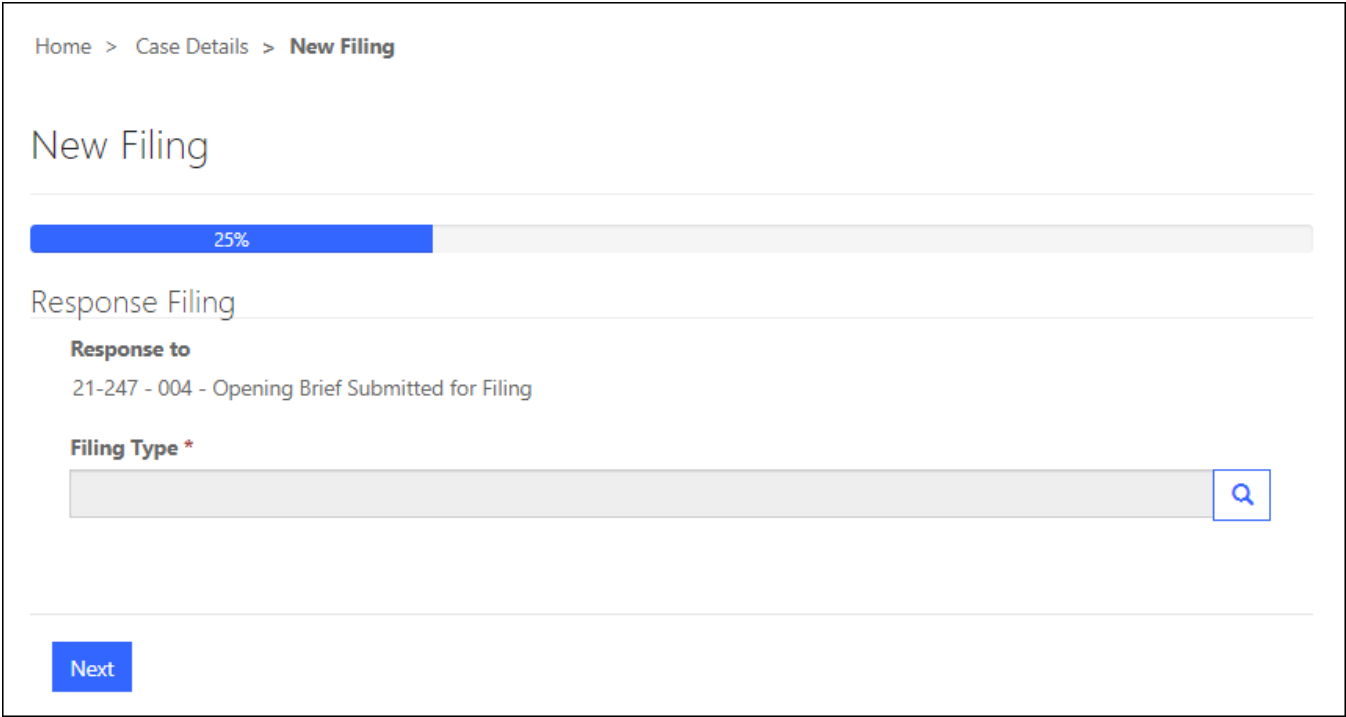
Select	Docket Number	Docket Text
<input type="checkbox"/>	4	OPENING BRIEF submitted for filing by Petitioner Tom Godfried. [Entered: 05/11/2021 11:05:00 AM]

[+ New Filing](#)

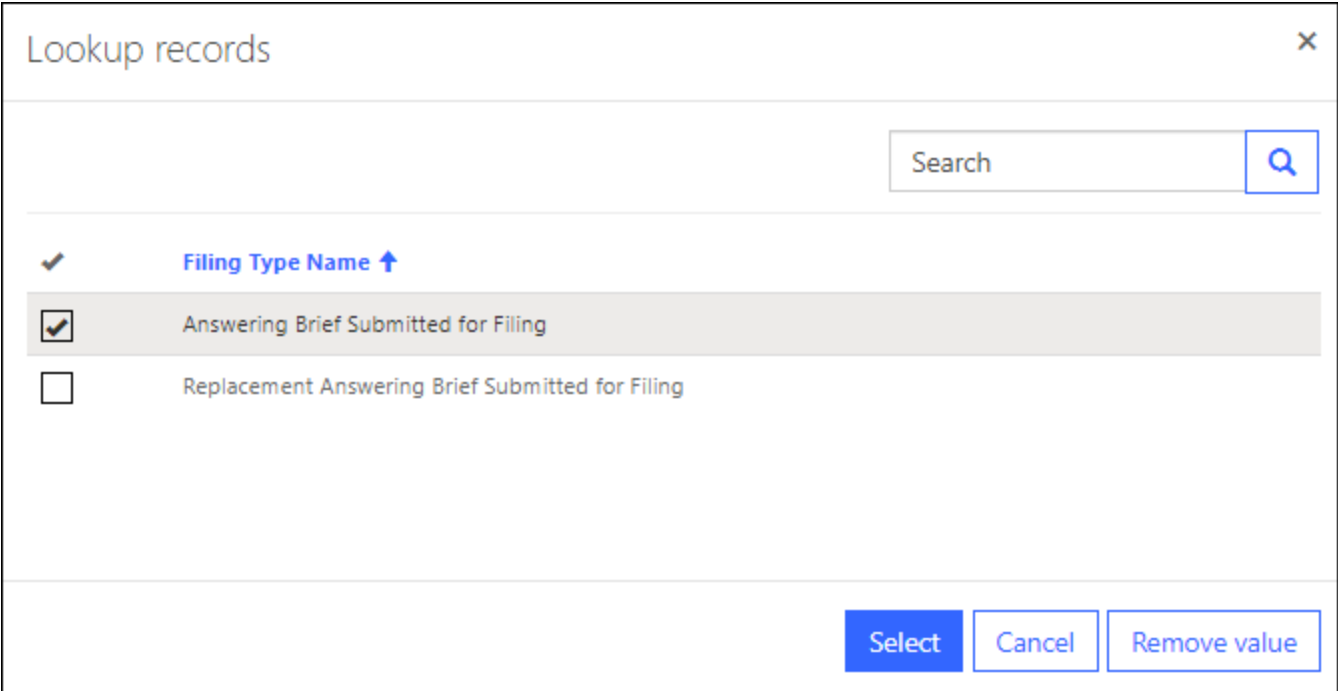
- 6. Click the checkbox in the **Select** column to select the OPENING BRIEF entry. The row is highlighted and a **Next** button is added to the page, as shown in the following example.



- 7. Click the **Next** button. The New Filing page is updated to show your initial selection: response to opening brief.

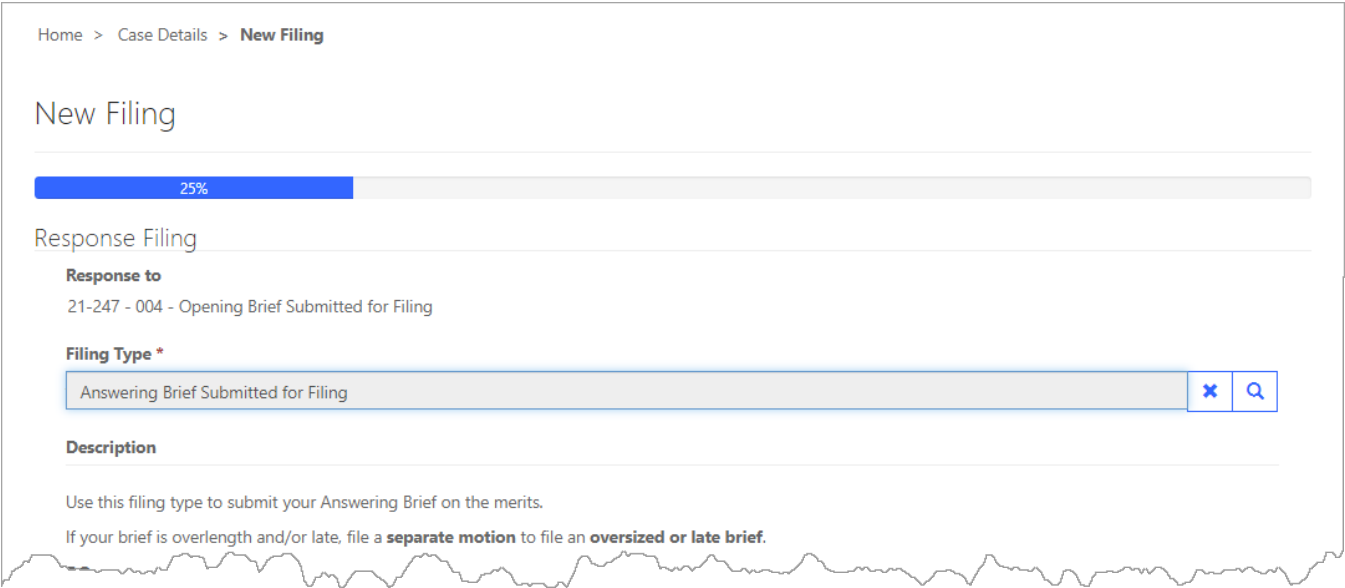


- 8. In the **Filing Type** field, click the magnifying glass icon, select **Answering Brief Submitted for Filing**, and click the **Select** button.



The New Filing page is updated to show which filing you are responding to and the filing type you selected for the response.

TIP: Make sure you review the instructions carefully, and if needed, click the links to access resources made available to you by the court.



9. Scroll down until you see an **Attach Document** button.

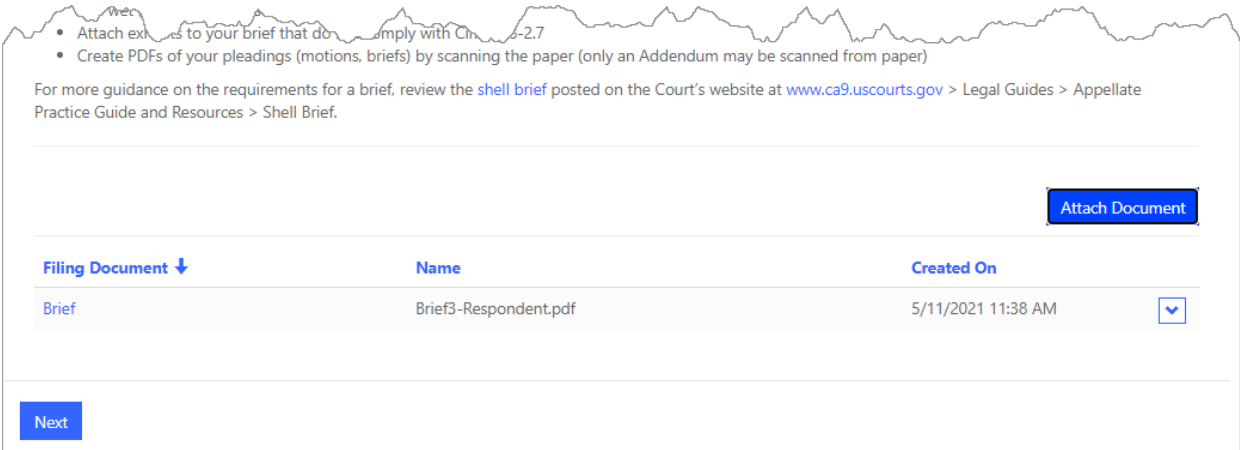


10. Do the following for *each* PDF you want to attach to the filing:

- a. Click the **Attach Document** button.
A Document Details dialog box opens.
- b. In the **Filing Document** Type field, click the magnifying glass icon to find and select the document you are attaching.
- c. Click the **Browse** button to navigate to and select the PDF to attach.
- d. Click the **Submit** button.

REMINDER: If petitioner is proceeding without counsel, you must serve petitioner separately, and include a certificate of service with your filing.

The illustration below shows 1 document attached to the filing: the brief.



11. Click the **Next** button.

The New Filing page is updated to show the summary of the filing: the case name, filing type and category, the filer’s name (your name), the documents attached to the filing, the party linked to the filing (the attorney general), and service information. An example is shown below.

Home > Case Details > **New Filing**

New Filing

66%

Filing Details

Case *
Godfried v. Garland

Filing Type
Answering Brief Submitted for Filing

Filing Category
Briefs/Excerpts

Filer
CA Nine OIL - Office of Immigration Litigation

Filing Documents

Filing Document ↓	Name	Created On
Brief	Brief3-Respondent.pdf	5/11/2021 11:38 AM

Associated Parties

A-Number	Case Participant ↑	Is Lead Petitioner
	Merrick B. Garland	No

Service

By ACMS

REMINDER: If the **Service** section shows “By U.S. Mail or Commercial Courier” instead of “ACMS” the petitioner is proceeding without counsel, you must serve petitioner separately, and include a certificate of service with your filing.

12. Click the **Submit** button to submit the filing to the Court. This completes the filing.