

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK



**ELECTRONIC NOTICE OF CIVIL OR PRISONER APPEAL & CLERK'S CERTIFICATION**

Dear Clerk of the Court,

Please take notice that on September 14, 2011 the Court received a Notice of Appeal. This notice serves to inform you of the pending appeal and provides you with the information needed to process the appeal.

I, LAWRENCE K. BAERMAN, CLERK, U.S. District Court for the Northern District of New York, DO, HEREBY CERTIFY that the foregoing docket entries, with the exception of the documents listed below, are maintained electronically on the court's CM/ECF system and constitute the Record on Appeal in the below listed action.

The following documents *are not* available electronically in the Albany Clerk's Office. Please notify our office if you need any of the following documents:

Docket No.(s): 193, 246, 369

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said Court to be hereto affixed at the City of Albany, New York, this 21<sup>st</sup> day of September, 2011.

Lawrence K. Baerman, Clerk  
U.S. District Court

By: s/Maria A. Blunt  
Deputy Clerk

**Case Information**

Case Name & Case No. SEC v. McGinn, Smith & Co., Inc., et al; 1:10-cv-0457-GLS-DRH  
Docket No. of Appeal: 379  
Document Appealed: 342

Fee Status: Paid X Due \_\_\_ Waived (IFP/CJA) \_\_\_  
IFP revoked \_\_\_ Application Attached \_\_\_ IFP pending before USDJ \_\_\_

Counsel: Retained X Pro Se \_\_\_

Time Status: Timely X Untimely \_\_\_

Motion for Extension of Time: Granted \_\_\_ Denied \_\_\_

Certificate of Appealability: Granted \_\_\_ Denied \_\_\_ N/A X

State Court Papers are being sent by UPS as of: N/A