

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)	
RANDOLPH S. KOCH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 12-0301 (PLF)
	)	
MARY L. SCHAPIRO,	)	
Chair, Securities and Exchange	)	
Commission, <u>et al.</u> ,	)	
	)	
Defendants.	)	
_____	)	

MEMORANDUM OPINION AND ORDER

The court of appeals remanded this case for the Court to “determine whether, based on appellant’s response to the order to show cause and the attachments thereto, the notice of appeal was in fact timely filed.” The Court concludes that it was.

Plaintiff is proceeding pro se in this matter. His response to the order to show cause and its attachments sufficiently demonstrate that plaintiff’s notice of appeal was timely filed on August 11, 2014. It was hand-delivered to the courthouse that day after the Clerk’s Office had closed. Plaintiff’s courier, however, apparently neglected to time-stamp the notice of appeal. Because the notice of appeal was filed after-hours, the lack of a time-stamp caused the District Court’s Clerk’s Office to enter the notice of appeal on August 12, 2014. It is therefore hereby

ORDERED that plaintiff’s notice of appeal be considered timely filed; and it is

FURTHER ORDERED that the Clerk of this Court is directed to transmit to the court of appeals a copy of this order.

SO ORDERED.

DATE: January 30, 2015

/s/ \_\_\_\_\_  
PAUL L. FRIEDMAN  
United States District Judge