

August 27, 2026
Carolyn A. Dubay, Secretary
Committee on Rules of Practice and Procedure
Administrative Office of the United States Courts
One Columbus Circle, NE, Room 7-300
Washington, DC 20544

Re: Rules Suggestion - Proposed Amendments to Federal Rule of Appellate Procedure 10(e), Transcript-Integrity Disputes

Dear Ms. Dubay:

I respectfully submit the enclosed suggestion for targeted amendments to Federal Rule of Appellate Procedure 10(e). The proposal addresses the uncommon but consequential case in which a certified transcript exists, a party identifies an exact and material discrepancy, and a court-controlled or reporter-controlled source may verify what occurred.

Current Rule 10(e) assigns record-settlement disputes to the district court but does not prescribe a threshold showing, immediate preservation, a limited-remand timetable, neutral technical review, passage-specific findings, or a clear path for review of a postjudgment settlement order. The attached proposal supplies those missing procedural links while preserving certification as the starting presumption and protecting reporters from broad or speculative discovery.

My federal appeal is included as a disclosed illustration. This submission does not ask the Rules Committees to decide whether any transcript passage in my case was inaccurate or to review any judgment. It proposes a prospective mechanism that could promptly confirm a certified transcript, correct a material error, or reject an unsupported challenge through a reliable and reviewable process.

Please assign this suggestion an agenda number and forward it to the Advisory Committee on Appellate Rules for consideration.

Respectfully submitted,
John Anthony Castro
BOP Register No. 93890-510
FPC Pollock Camp
P.O. Box 2099
Pollock, Louisiana 71467
johnanthonycastro777@gmail.com

RULES SUGGESTION

PROPOSED AMENDMENTS TO FEDERAL RULE OF APPELLATE PROCEDURE 10(e)

Source-Record Preservation, Limited Remand, Neutral Verification, and Automatic Review

Submitted by John Anthony Castro

I. EXECUTIVE SUMMARY

An appellate court cannot review what happened below until the record reliably identifies what happened. Federal Rule of Appellate Procedure 10(e) recognizes that premise by requiring the district court to settle a dispute about whether the record truly discloses the proceeding. But the rule supplies authority without a uniform process. It does not define what a movant must show, when source material must be preserved, how a court of appeals should structure a limited remand, what findings the district court must make, or how the resulting postjudgment order returns to the pending appeal.¹

Most transcript challenges should be rejected or resolved informally. Certification deserves a strong presumption, and Rule 10(e) must not become a device for adding new evidence, rewriting an accurate transcript, or forcing court reporters to defend every line whenever a losing party objects. A national rule should therefore begin with a disciplined gate.

The proposed amendment would require a movant to identify the exact transcript passage, state the proposed correction or omission, explain materiality to an appellate issue, identify a non-speculative source basis, and describe diligence and the limited relief requested. Conclusory, immaterial, or record-creating claims could be denied summarily. When the claim is specific, material, and potentially verifiable, the court of appeals could order immediate preservation and a limited remand while retaining jurisdiction.

On remand, the district court would use the least burdensome reliable method: stipulation, reporter declaration, in camera comparison, neutral technical review, or an evidentiary hearing. It would identify the sources reviewed, make passage-specific findings, conform the record if necessary, and transmit a supplemental record. A settlement order entered on a court-ordered Rule 10(e) remand would automatically become part of the pending appeal without requiring a second notice of appeal.

The proposal does not create general public access to reporter backup recordings, make audio superior to stenographic notes, or lengthen universal retention periods. Preservation is not production. The court could preserve a sealed copy, compare only the relevant interval, and protect unrelated proceedings, witness privacy, and reporter ownership. The objective is a trustworthy adjudication of an uncommon concrete dispute.

The amendment would serve Rule 1's goals of just, speedy, and inexpensive appellate procedure. It would protect appellants from an unreviewable record error; reporters and judges from unresolved allegations; appellees from open-ended discovery; and courts from fragmented

¹ Fed. R. App. P. 10(e)(1)-(3).

jurisdictional litigation over an order whose only function is to define the record in an already-pending appeal.

II. CURRENT RULE 10(E) PROVIDES AUTHORITY BUT LITTLE PROCESS

A. Certification and Correction Serve the Same Goal

The Court Reporter Act requires open-court criminal proceedings to be recorded verbatim by an approved method. The reporter must certify and file the original shorthand notes or other original records, which the clerk preserves for at least ten years. A certified transcript is *prima facie* correct, and the original records and transcript are subject to inspection under the statute.²

Prima facie correctness is essential. Courts could not function if every transcript line required independent authentication. But *prima facie* is not conclusive. Rule 10(e)(1) expressly contemplates a difference about whether the record truly discloses what occurred and assigns settlement of that difference to the district court. Certification creates the starting presumption; Rule 10(e) supplies the controlled mechanism for the exceptional concrete challenge.

The design problem is circular when the best source is controlled by the court or reporter. A movant may be told that certification controls because no contrary proof was produced, while access to the source capable of confirming or refuting the claim is denied because the movant has not already produced contrary proof. A sensible threshold should require specificity, materiality, diligence, and a reason to believe a relevant source exists - not possession of the source before judicial assistance may be requested.

B. Transcript Disputes Are Not All Alike

A uniform procedure should distinguish four recurring categories:

1. Agreed clerical corrections. The parties agree that a name, number, date, speaker label, or omitted word should be corrected. Stipulation and a supplemental record are ordinarily sufficient.
2. Reconstruction of an unrecorded or unavailable proceeding. No usable transcript or source recording exists, so Rule 10(c), recollections, notes, and other evidence must be used to reconstruct a sufficiently complete account.³
3. Specific and material integrity disputes. A certified transcript exists, but a party identifies a particular word, phrase, speaker, interruption, or omission and gives a non-speculative reason to believe an available source may show something different. This category warrants controlled verification after a threshold showing.
4. Conclusory, immaterial, or record-creating claims. The movant identifies no exact passage, proposes no alternative, explains no appellate consequence, or seeks to add events that did not occur below. These claims should be denied summarily.

Treating all four categories alike produces opposite errors. Automatic distrust burdens reporters and courts. Automatic reliance on certification can leave a material and verifiable discrepancy

² 28 U.S.C. § 753(b)-(c).

³ Fed. R. App. P. 10(c); see, e.g., *United States v. Brown*, 441 F.3d 1330, 1353-54 (11th Cir. 2006).

unresolved. The proposed rule directs each category to the least burdensome appropriate procedure.

C. Source Materials Require a Functional Distinction

The legal status of a recording depends on why it exists. When electronic sound recording is the official method, the recording is part of the original record. When a reporter creates audio only as a personal backup to stenographic reporting, federal cases and Judiciary policy generally reject a public entitlement to the file. Other decisions recognize that a court may permit access or inspection after a concrete reason to doubt transcript accuracy.⁴

The proposed amendment respects those distinctions. It would not declare a personal backup part of the public record or give parties an unrestricted copy. It would confirm that the appointing court may preserve and inspect a specifically identified source after a qualifying showing. A file can be copied, hashed, sealed, and compared without surrendering the original or exposing unrelated portions of the proceeding. The district court would integrate all available evidence - stenographic notes, dictionaries, reporter logs, official recordings, backup audio, contemporaneous notes, participant declarations, and context - rather than presuming one medium infallible.

D. A Settlement Order Can Fall Outside the Appeal It Exists to Define

Rule 10(e) often operates after the original notice of appeal. If the district court enters a settlement order while the merits appeal is pending, ordinary notice-of-appeal doctrine may be applied to require a second notice designating that later order. The result is a functional mismatch: the district court decides what the appellate record contains, yet the appellate court may treat the decision as outside the appeal whose record it defines.

Retained-jurisdiction remands are familiar. Rule 12.1 and the Second Circuit's Jacobson practice show that an appellate court can remand for a narrow task, retain jurisdiction, receive the supplemental record, and resume review without a new appeal. A Rule 10(e) settlement order is particularly suited to that model because it does not ordinarily grant new substantive relief; it supplies the record needed to decide the existing appeal.⁵

III. PROPOSED RULE TEXT

The following language could be added as new paragraphs (4) through (7) of Rule 10(e):

- (4) Motion Raising a Material Transcript Dispute.
- (A) Required Showing. A party asserting that a certified transcript does not accurately disclose what occurred must:
 - (i) identify the challenged proceeding, volume, page, line, speaker, or other exact location;
 - (ii) state the proposed correction or describe the asserted omission;
 - (iii) explain why the difference is material to an issue on appeal;
 - (iv) identify the source or factual basis that may permit the difference to be resolved; and
 - (v) state when the issue was discovered, the diligence exercised, and the limited relief requested.

⁴ See *Smith v. U.S. Dist. Ct. Officers*, 203 F.3d 440, 442-43 (7th Cir. 2000); *United States v. Austin*, 954 F.3d 877, 879 (6th Cir. 2020); *In re Pratt*, 511 F.3d 483, 485 (5th Cir. 2007); *Guide to Judiciary Policy*, vol. 6, § 560.20(c).

⁵ *Fed. R. App. P. 12.1*; *United States v. Jacobson*, 15 F.3d 19, 22 (2d Cir. 1994); *United States v. Hunter*, 32 F.4th 22, 27 n.3 (2d Cir. 2022); 11th Cir. R. 12.1-1(b).

- (B) Summary Disposition. The court may deny the motion without further proceedings if the claim is conclusory, immaterial, seeks to add matter that did not occur below, or lacks a non-speculative source basis.
- (5) Preservation and Limited Remand.
 - (A) Preservation. When necessary to prevent loss of material capable of resolving a claim under paragraph (4), the district court or the court of appeals may order preservation of the relevant original notes or records and any specifically identified source reasonably likely to resolve the dispute. A preservation order does not determine ownership, public access, admissibility, or whether the source is part of the official record.
 - (B) Limited Remand. If the court of appeals determines that the asserted difference is specific, material, and potentially verifiable, it may stay relevant appellate proceedings and remand for the limited purpose of settling the difference. Unless the remand order states otherwise, the court of appeals retains jurisdiction.
- (6) Settlement Procedure.
 - (A) The district court must use the least burdensome reliable procedure appropriate to the dispute. The court may use party stipulation, a reporter declaration or correction, in camera comparison, neutral technical review, or an evidentiary hearing.
 - (B) When the dispute directly concerns the reporter's work, the presiding judge's own words, or another circumstance in which neutral review would materially improve confidence, the court may assign the source comparison to another judge, a magistrate judge, a neutral certified reporter, or a qualified technical expert.
 - (C) The district court must identify the sources reviewed, make findings sufficient for review as to each challenged passage, conform the record as necessary, and promptly transmit the order, findings, and supplemental record to the court of appeals.
- (7) Review of Settlement Order.
 - (A) An order entered under paragraph (5)(B) is part of the pending appeal. No separate or amended notice of appeal is required to obtain review of that order.
 - (B) The court of appeals may permit supplemental briefing and will review historical findings under the ordinarily applicable standard and legal interpretations of this rule de novo.
 - (C) This paragraph does not eliminate any notice required to appeal an order granting or denying substantive relief from the judgment.

IV. PROPOSED COMMITTEE NOTE

New paragraphs (4) through (7) establish a uniform procedure for a specific dispute about whether a certified transcript accurately discloses what occurred. They do not authorize a party to add new evidence, revise an accurate transcript for advocacy, or obtain broad discovery of court-reporting materials.

Paragraph (4) requires a disciplined proffer. The movant must identify the exact passage, state the proposed correction or omission, explain materiality, identify a source or factual basis capable of verification, and show diligence. Personal recollection alone ordinarily should be supported by a declaration and, when available, contemporaneous notes or another articulable source basis. The source basis need not establish the correction at the threshold when the relevant source is controlled by the court or reporter.

Paragraph (5)(A) authorizes a case-specific litigation hold. Preservation is distinct from production, public access, and official-record status. The court may direct a reporter not to delete a specifically identified file, require a sealed copy or cryptographic hash, or preserve the relevant interval through final disposition of the record dispute and direct appeal. The paragraph does not alter generally applicable retention schedules.

Paragraph (5)(B) supplies a retained-jurisdiction limited-remand mechanism. A court of appeals may deny unsupported claims, resolve an agreed correction, or order reconstruction under existing procedures. A limited remand is appropriate when the asserted difference is specific, material, and potentially verifiable. The remand order should identify the passages and questions, address preservation, and set a reasonable timetable.

Paragraph (6) preserves district-court discretion over method. Many disputes can be resolved by stipulation, reporter declaration, correction, or in camera comparison. A live hearing is necessary only when interpretation, credibility, or competing evidence remains material. A neutral reviewer may be used when the allegation directly concerns the original reporter's work or the presiding judge's own words. Neutral review is a quality-control measure and does not imply misconduct.

The district court should make passage-specific findings. A generalized reliance on certification, habit, or usual practice may be insufficient when an objective source exists and a concrete discrepancy has crossed the threshold. The supplemental record should identify the materials reviewed without disclosing unrelated or protected content.

Paragraph (7) coordinates review. A settlement order entered on a court-ordered Rule 10(e) remand exists solely to complete the pending appeal and is therefore included in that appeal without a second notice. If the district court grants or denies independent substantive relief, ordinary notice requirements remain applicable.

Nothing in these paragraphs makes audio presumptively superior to a certified transcript. The district court should consider the quality, completeness, context, and legal status of each source and make findings. Nor do the paragraphs create unrestricted access to personal backup recordings. Controlled in camera review or a certified excerpt may be sufficient, particularly for incarcerated or self-represented litigants who cannot inspect materials at the clerk's office.

V. REASONS FOR THE AMENDMENT

A. The Threshold Is Demanding but Attainable

The strongest practical concern is that every disappointed litigant will dispute the transcript. The proposed rule answers that concern at the gate. Exact location, proposed account, materiality, source basis, diligence, and limited relief are mandatory. A motion that merely says the transcript is wrong or seeks more favorable wording should be denied summarily.

The threshold is intentionally higher than disagreement and lower than possession of court-controlled proof. Requiring the movant to possess a reporter-controlled source before asking for comparison would make the remedy self-defeating. A specific declaration, contemporaneous notes, a reporter log, the known existence of an official recording, or a concrete reason to believe a backup covers the disputed interval can supply the necessary source basis.

B. Immediate Preservation Prevents the Procedure from Becoming Moot

A source may disappear while courts decide which tribunal should act. Personal backup files may be subject to routine deletion, devices may be replaced, and native data or logs may be overwritten. Preservation should therefore precede ultimate resolution. A narrow hold imposes little burden and does not prejudice access or accuracy.

The rule should cover the source reasonably likely to answer the claim, not every file associated with the proceeding. The order can identify an exact time interval or stenographic segment, require a sealed copy, and terminate after the appeal and rehearing period. This protects institutional interests while preventing avoidable spoliation of the only objective source.

C. The Least Burdensome Reliable Method Protects Reporters and Parties

The amendment does not require a hearing in every case. Agreed clerical errors can be corrected by stipulation. A reporter may acknowledge and correct a transcription error. The court may listen to a short interval in camera or compare it with native stenographic data. Testimony is reserved for cases in which meaning, speaker identity, context, or credibility remains disputed.⁶

A neutral comparison can protect a reporter's professional reputation as readily as a litigant. Unsupported allegations are harmful when they remain unresolved. A controlled process can quickly confirm the transcript and create a reasoned order explaining why the claim failed.

D. Neutral Review Improves Confidence Without Presuming Wrongdoing

Rule 10(e) properly assigns settlement to the district court because that court knows the proceeding. But some disputes concern the presiding judge's own words or allege error in the original reporter's work. In those limited circumstances, another district judge, magistrate judge, neutral certified reporter, or technical expert may be better positioned to conduct the source comparison. The original judge and reporter may provide declarations and context without serving as the only evaluators of their own disputed work.

Neutral assignment should remain discretionary. Most corrections are routine and nonaccusatory. The rule should simply make clear that district-court settlement authority includes the ability to use a neutral reviewer when confidence in the result would otherwise be impaired.

E. Passage-Specific Findings Permit Meaningful Review

A court of appeals cannot meaningfully review a generalized statement that the transcript is certified or that the judge usually follows a particular practice. Once a claim crosses the threshold, the settlement order should identify each passage, the sources reviewed, the factual finding, and any correction. Reconstruction cases show why the scope and basis of the district court's work must be sufficiently explicit for review.⁷

The appellate court should not listen to a recording and become the first-instance factfinder. Historical findings remain reviewed deferentially; legal interpretations of Rule 10 and section 753 remain reviewed de novo. The remand supplies the factfinding that ordinary appellate deference presupposes.

F. Automatic Review Eliminates a Purely Procedural Trap

A separate notice of appeal adds little information after the court of appeals itself has ordered a limited remand and retained jurisdiction. The remand order gives both parties notice, the appellee participates below, and supplemental briefing can address the settlement ruling. A second notice creates a short-deadline failure point, duplicate dockets, consolidation issues, and avoidable jurisdictional motion practice - especially for incarcerated or self-represented appellants.

⁶ See *Brown*, 441 F.3d at 1353-54 (explaining that the procedure required on remand depends on the remand order and the nature of the missing or disputed material).

⁷ See *United States v. Elmore*, 719 F. App'x 921, 926-27 (11th Cir. 2017); *Flores-Panameno v. U.S. Att'y Gen.*, 913 F.3d 1036, 1040-42 (11th Cir. 2019).

Automatic review would not expand the merits appeal. The parties could contest the procedure, findings, and conformed record. If the district court separately altered the judgment or granted substantive relief, ordinary notice rules would continue to apply. The distinction tracks the difference between completing an existing record and entering a new appealable disposition.⁸

G. The Procedure Must Be Meaningful for Incarcerated and Self-Represented Litigants

A statutory right to inspect records in the clerk's office may be practically unusable for a person in federal custody. The district court should be able to arrange in camera comparison, allow an approved representative or counsel to inspect the relevant source, provide a certified excerpt, or use another controlled method. The movant need not receive an unrestricted copy of a private backup recording to obtain a trustworthy adjudication.

The same access reality strengthens the need for automatic review. An incarcerated appellant may reasonably understand a Rule 10(e) order as ancillary to the existing appeal, lack contemporaneous electronic docket access, and face a fourteen-day criminal notice period. Procedure should not make the record-settlement ruling unreviewable because the litigant failed to open a second appeal over the contents of the first.

VI. UNITED STATES v. CASTRO AS A DISCLOSED ILLUSTRATION

My own federal appeal illustrates the procedural gaps without establishing that any transcript was inaccurate. I filed a Rule 10(e) motion identifying ten asserted discrepancies. Some were potentially material: an alleged opening remark not reflected in the transcript and words near closing that I contended affected the scope of a stipulation dispute. Other requests were weaker, including one concerning an off-the-record request and another involving a minor phrase whose substantive effect was uncertain.⁹

The government argued that the motion was confusing and unsupported. It opposed broad production of recordings or a live hearing but suggested that, if the court investigated, the original reporter could confirm the passages or the court could conduct an in camera review. That response contained the ingredients of an efficient process: separate weak claims from concrete claims, preserve the relevant source, and use a narrow comparison where warranted.

The district court denied relief. It relied on the stenographically produced certified transcript, treated any backup audio as the reporter's personal property, held that I had not produced proof sufficient to overcome prima facie correctness, and stated that it did not recall making one challenged remark. Those were substantial reasons for skepticism. The unresolved difficulty was that the source most capable of supplying objective proof remained controlled by the court or reporter.¹⁰

The Fifth Circuit later held that the district court retained authority to decide the postjudgment transcript motion, but the appellate court lacked jurisdiction to review the June 18, 2025 order because the original notice of appeal could not designate a future order and no separate notice

⁸ See Fed. R. App. P. 3(c)(4), 4(b)(1)(A), 12.1 advisory committee's note to 2009 adoption.

⁹ Appellant's FRAP 10(e) Motion to Correct the Trial Transcript, Stay of Appeal, and Remand for Factual Findings at 3-7, *United States v. Castro*, No. 24-11000 (5th Cir. May 27, 2025).

¹⁰ Government's Response to Defendant's Motions to Compel Production and Correct the Trial Transcript at 2-6, *United States v. Castro*, No. 4:24-cr-00001-Y (N.D. Tex. June 13, 2025), ECF No. 242; Order Denying Motion to Compel and Amended Motion to Correct at 1-3, *United States v. Castro*, No. 4:24-cr-00001-Y (N.D. Tex. June 18, 2025), ECF No. 243.

designated it. The transcript claim was dismissed without a merits review of the settlement ruling.¹¹

This suggestion does not ask the Committee to determine whether my recollection, the certified transcript, the district court, or the government was correct. Every challenged line may have been accurately transcribed. The narrower institutional point is that current procedure can require proof from an inaccessible source and then leave the resulting Rule 10(e) order outside the appeal whose record it defines. The proposed gate, preservation order, limited remand, reasoned findings, and automatic review would produce an answer capable of commanding confidence whichever side prevailed.

VII. RESPONSES TO ADDITIONAL OBJECTIONS

A. Rule 10(e) Already Gives Courts Sufficient Flexibility

Existing law supplies authority, but not coordination. The recurring questions - threshold, preservation, remand scope, method, neutral review, timetable, findings, and appellate review - are left to ad hoc orders. Variability is manageable for experienced counsel and perilous for uncommon disputes, particularly when briefing and notice deadlines continue to run. A national procedure would allow judges and clerks to use a familiar checklist rather than design the machinery from scratch.

B. Audio Should Not Supplant the Certified Transcript

The proposal does not make audio superior. A recording may be incomplete, distorted, or open to competing interpretation. Stenographic notes, dictionaries, reporter testimony, courtroom context, and participant recollections may matter. The district court should integrate the sources and make findings. Audio is a verification source, not an invitation for the appellate court to reweigh evidence de novo.

C. The Proposal Could Intrude on Reporter Property and Privacy

Preservation does not transfer ownership or create public access. Courts routinely preserve materials subject to later privilege, relevance, and access determinations. A sealed copy, short certified excerpt, or in camera comparison can protect personal ownership, witness privacy, sealed matters, and unrelated proceedings. The appointing court already supervises official reporters under section 753(c), and the proposed rule would operate through that judicial supervision rather than ordinary public discovery.¹²

D. A Second Notice of Appeal Is a Small Burden

The burden is small only when counsel has immediate electronic access and recognizes that an ancillary record order requires a new criminal appeal. The extra notice serves no meaningful function after a retained-jurisdiction remand. It can instead fragment a single task, create consolidation and fee questions, and permit a purely procedural omission to foreclose review of

¹¹ United States v. Castro, No. 24-11000, consolidated with No. 26-10428, slip op. at 5-7, 17 (5th Cir. Aug. 11, 2026) (per curiam) (unpublished); see *Armour v. Knowles*, 512 F.3d 147, 156 & n.20 (5th Cir. 2007).

¹² 28 U.S.C. § 753(c).

what the appellate record contains. The better rule is notice once, retained jurisdiction, participation below, and automatic return of the settlement order.

VIII. IMPLEMENTATION AND REQUEST FOR COMMITTEE ACTION

Courts can use parts of this framework under existing Rules 10(e), 12.1, and 27. A panel may retain jurisdiction, direct preservation, define a limited remand, and receive a supplemental record. Local rules and standing orders could standardize motions and remands. A national amendment, however, would provide the clearest answer on threshold, preservation, neutral verification, required findings, and automatic review.

The amendment is procedural. It does not change the substantive entitlement to a transcript, alter the standard of review, expand the record with new evidence, or prescribe a remedy for trial error. It regulates the method by which federal courts determine and review the contents of the appellate record, well within the Rules Enabling Act process.¹³

I respectfully request that the Advisory Committee on Appellate Rules:

1. assign this suggestion an agenda number and place it on the Committee's study agenda;
2. consider proposed paragraphs (4) through (7) of Rule 10(e), or comparable language establishing a threshold, preservation authority, limited remand, settlement findings, and automatic review;
3. coordinate with the Court Administration and Case Management Committee, court-reporting program, Federal Judicial Center, circuit clerks, district judges, official reporters, federal defenders, the Department of Justice, and representatives of incarcerated and self-represented appellants;
4. request focused empirical information concerning the frequency and disposition of Rule 10(e) transcript disputes, source-retention practices, reporter backup policies, limited-remand practices, and second-notice jurisdictional dismissals; and
5. if immediate publication is premature, authorize committee staff or the Federal Judicial Center to develop a model motion checklist and retained-jurisdiction remand order for pilot use.

CONCLUSION

A certified transcript deserves trust. Most challenges will not justify more than summary denial or a reporter's correction. But the presumption is legitimate only if the system retains a practical method for testing the uncommon specific, material, and potentially verifiable dispute.

Current law contains the pieces: certification, preservation of original records, district-court settlement authority, reconstruction doctrine, limited-remand practice, and appellate review. What is missing is a procedure that connects them. The proposed amendment would identify who must act, what a movant must show, what must be preserved, how the district court should verify and make findings, and how the result returns to the pending appeal.

¹³ See 28 U.S.C. §§ 2072-2074.

The rule would neither presume error nor make the transcript unassailable. It would provide a controlled way to determine whether the record accurately discloses what occurred - the question Rule 10(e) already asks and every meaningful appeal necessarily depends on.

Respectfully submitted,
John Anthony Castro
BOP Register No. 93890-510
FPC Pollock Camp
P.O. Box 2099
Pollock, Louisiana 71467
johnanthonycastro777@gmail.com