

UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

Notice of Proposed Amendment to 5TH CIRCUIT RULE 32.4

The court has carefully considered the public comments received following the recent amendments to the Federal Rules for Appellate Procedure (FRAP) word count limits. The court has determined not to opt out of the new limits, but proposes to modify the local rule regarding party motions for extra-length briefs. Pursuant to 28 U.S.C. § 2071, we give notice the court is considering amending 5TH CIR. R. 32.4 as shown below.

We will accept written comments for consideration on the proposed change through March 6, 2017:

Clerk of Court
U.S. Court of Appeals for the Fifth Circuit
ATTN: Rule Changes
600 South Maestri Place
New Orleans, LA 70130

or send comments electronically to Changes@ca5.uscourts.gov

Current Local Rule with Redline Proposed Changes

5th Cir. R. 32:

32.4 Motion for Extra-Length Briefs.

A motion to file a brief in excess of the page length or word-volume limitations must be filed at least 10 days in advance of the brief's due date. ~~The court looks upon such motions with great disfavor and will grant them only for extraordinary and compelling reasons. If a motion to file an extra length brief is submitted, a draft copy of the brief must be submitted with the motion.~~

Lyle W. Cayce
Clerk of Court