

United States Court of Appeals

District of Columbia Circuit
Washington, D.C. 20001-2866

Mark J. Langer
Clerk

General Information
(202) 216-7000

NOTICE OF FINAL RULES

In accordance with the provisions of D.C. Circuit Rule 47, notice of a proposed amendment to Circuit Rules 27 and 28 was provided on October 16, 2006, with an opportunity to comment. No comments were received; thus, the Court has ordered that the proposed amendments be adopted effective January 16, 2007.

This proposed change simplifies the procedures for seeking extensions of time to file briefs and other pleadings and for seeking leave to exceed page or word limits.

Copies of this Notice have been published this date by the means specified in D.C. Circuit Rule 47(c).

Date Issued: January 16, 2007

/s/ Mark J. Langer
Mark J. Langer, Clerk

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Filed On: January 16, 2007

BEFORE: Ginsburg, Chief Judge, and Sentelle, Henderson, Randolph, Rogers, Tatel, Garland, Brown, Griffith, and Kavanaugh, Circuit Judges

ORDER

It is **ORDERED** by the en banc court, that Circuit Rule 27(h)(1) be amended to read as follows:

(h) Motions to Extend Time for Filing and to Exceed Page Limits.

(1) **Timeliness of Request.** A motion to extend the time for filing motions, responses, and replies, or to exceed the page limits for such pleadings, must be filed at least 5 calendar days before the pleading is due. Motions filed less than 5 calendar days before the due date will be denied absent exceptional circumstances, except that the clerk may grant unopposed late filed motions for extension of time for good cause shown.

It is

FURTHER ORDERED that Circuit Rule 28(e)(2) be amended to read as follows:

(e) Request to Exceed the Limits on the Length of Briefs and for Extension of Time for Filing.

(2) A motion to exceed the limits on length of briefs or to extend the filing time for a brief must be filed at least 5 calendar days before the brief is due. Motions filed less than 5 calendar days before the due date will be denied absent exceptional circumstances, except that the clerk may grant unopposed late filed motions for extension of time that do not affect the oral argument schedule, for good cause shown.

These amendments are effective January 16, 2007.

Per Curiam

FOR THE COURT:

/s/Mark J. Langer
Mark J. Langer, Clerk