

IN THE SUPREME COURT OF MISSISSIPPI

NO. 89-R-99027 SCT

IN RE: MISSISSIPPI RULES OF APPELLATE PROCEDURE

ORDER

This matter is today before the Court, en banc, on its own motion. It has been brought to the attention of the Court that, although the pleading former designated a petition for rehearing has throughout the rules been redesignated a *motion* for rehearing, Rule 32(b) of the Mississippi Rules of Appellate Procedure continues to use the former reference.

IT IS, THEREFORE, ORDERED that M.R.A.P. 32(b) be and the same is hereby amended, substituting in the place of the phrase "petition for rehearing," the words "motion for rehearing."

IT IS FURTHER ORDERED that the Clerk of this Court shall spread this Order upon

the minutes of the Court and shall forthwith forward a true certified copy hereof to West Publishing Company for publication as soon as practical in the advance sheets of *Southern Reporter, Second Series (Mississippi Edition)* and in the next edition of *Mississippi Rules of Court*.

SO ORDERED, this, the _____ day of September, 1997.

MICHAEL SULLIVAN, PRESIDING JUSTICE

FOR THE COURT

LEE, C.J. WOULD DENY.

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IN RE: MISSISSIPPI RULES OF APPELLATE PROCEDURE

ORDER

This matter is today before the Court, en banc, on its own motion. It has been brought to the attention of the Court that Rule 41(d) of the Mississippi Rules of Appellate Procedure makes an incorrect reference to Rule 41(b) as governing the issuance of mandates in criminal cases. This reference should be to Rule 41(c).

IT IS, THEREFORE ORDERED that M.R.A.P. 41(d) be and the same is hereby amended to substitute in the place of the phrase "Rule 41(b)" the words "Rule 41(c)".

IT IS FURTHER ORDERED that the Clerk of this Court shall spread this Order upon

the minutes of the Court and shall forthwith forward a true certified copy hereof to West Publishing Company for publication as soon as practical in the advance sheets of *Southern Reporter, Second Series (Mississippi Edition)* and in the next edition of *Mississippi Rules of Court*.

SO ORDERED, this, the _____ day of September, 1997.

MICHAEL SULLIVAN, PRESIDING JUSTICE

FOR THE COURT