

Serial: 95958

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99025-SCT

RE: UNIFORM RULES OF CIRCUIT AND COUNTY COURTS

ORDER

This matter has come before the Court en banc on Motion to Amend/Adopt Certain Uniform Circuit and County Court Rules filed by the Supreme Court Advisory Committee on Rules. The Court has considered the proposed amendment to URCCC 2.01 and the proposed adoption of a new URCCC 3.14, and, by prior order, granted the petition as to those rules, with modifications. The Court now considers the proposal in such petition for amendment to URCCC 4.03 and finds it should be granted and Rule 4.03 should be amended as set forth herein.

IT IS THEREFORE ORDERED that the Motion to Amend/Adopt Certain Uniform Circuit and County Court Rules filed by the Supreme Court Advisory Committee on Rules is granted to the extent set forth herein, and Rule 4.03 of the Uniform Rules of Circuit and County Court is amended as set forth in Exhibit "A" hereto.

IT IS FURTHER ORDERED that the Clerk of this Court shall spread this order on the minutes of this Court and that it be submitted to West Publishing Company for publication in the *Southern Reporter (Mississippi Edition)* and in the *Mississippi Rules of Court*.

SO ORDERED, this the 22nd of May, 2002.

/s/ William L. Waller, Jr.

WILLIAM L. WALLER, JR., JUSTICE

FOR THE COURT

PITTMAN, C. J., NOT PARTICIPATING

EXHIBIT "A" TO ORDER

UNIFORM RULES OF CIRCUIT AND COUNTY COURT PRACTICE

RULE 4.03 MOTION PRACTICE

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3. ~~Other motions, memoranda or briefs are encouraged but not required.~~ Accompanying memoranda or briefs in support of other motions are encouraged but not required. Where movant has served a memorandum or brief, respondent may serve a ~~response~~ reply within ten (10) days ~~of such service~~ after service of movant's memorandum or brief. A rebuttal memorandum or brief may be served within five (5) days of service of the reply memorandum.

4. No memorandum or brief required or permitted by this rule shall be filed with the clerk. Memoranda or briefs shall not exceed 25 pages in length. ~~The copy lodged with the court shall be accompanied by copies of authorities cited therein.~~ If any memorandum, brief or other paper submitted in support of a legal argument in any case cites or relies upon any authority other than a Mississippi or federal statute, Mississippi or federal Rule of Court, United States Supreme Court case, or a case reported in the Southern or Federal Reporter series, a copy of such authority must accompany the brief or other paper citing it.

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[Adopted effective May 1, 1995; amended May 23, 2002.]