

Serial: 148119

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99001-SCT

IN RE: THE RULES OF CIVIL PROCEDURE

ORDER

This matter is before the Court sitting en banc on the Court's own motion for an editorial amendment to Rule 6(b) of the Rules of Civil Procedure. After due consideration, the Court finds that Rule 6(b) should be amended, as set forth below.

IT IS THEREFORE ORDERED that Rule 6(b) of the Rules of Civil Procedure is amended to read as follows, underscore indicating the amended wording:

...

b) Enlargement. When by these rules or by notice given thereunder or by order of court an act is required or allowed to be done at or within a specified time, the court for cause shown may at any time in its discretion (1) with or without motion or notice order the period enlarged if request therefore is made before the expiration of the period originally prescribed or as extended by a previous order, or (2) upon motion made after the expiration of the specified period permit the act to be done where failure to act was the result of excusable neglect; but it may not extend the time for taking any action under Rules 50(b), 52(b), 59(b), 59(d), 59(e), ~~and 60(b)~~, and 60(c) except to the extent and under the conditions therein stated.

...

[Amended effective March 1, 1989; amended effective June 24, 1992;
amended effective July 1, 2008.]

IT IS FURTHER ORDERED that the Clerk of this Court shall spread this Order upon the minutes of the Court and shall forward a true certified copy hereof to West Publishing

Company for publication in the next edition of the *Mississippi Rules of Court* and in the *Southern Reporter, Second Series, (Mississippi Edition)*.

SO ORDERED, this the 16th day of June, 2008.

/s/ William L. Waller, Jr.

WILLIAM L. WALLER, JR., PRESIDING JUSTICE

DENIED: EASLEY, J.