

Serial: 155534

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99027-SCT

*IN RE: MISSISSIPPI RULES OF
APPELLATE PROCEDURE*

ORDER

This matter is before the Court en banc on the Court's own motion to amend Rule 46 of the Mississippi Rules of Appellate Procedure. After due consideration, the Court finds that the amendment of Rule 46 as set forth in Exhibit "A" will promote the fair and efficient administration of justice.

IT IS THEREFORE ORDERED that Rule 46 of the Mississippi Rules of Appellate Procedure is hereby amended as set forth in Exhibit "A" hereto. This amendment is effective on July 1, 2009.

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 to West Publishing Company for publication as soon as practical in the advance sheets of *Southern Reporter, Third Series (Mississippi Edition)* and in the next edition of *Mississippi Rules of Court*.

SO ORDERED, this the 20th day of July, 2009.

/s/ Randy G. Pierce

RANDY GRANT PIERCE, JUSTICE

NOT PARTICIPATING: GRAVES, P.J.

Exhibit A

MISSISSIPPI RULES OF APPELLATE PROCEDURE

**RULE 46. ADMISSION, WITHDRAWAL, AND
DISCIPLINE OF ATTORNEYS**

...

(11) *Enforcement.*

i. By Clerks and Filing Officers. No court clerk or filing officer of any administrative agency of this state shall accept or file any pleadings or other papers from a foreign attorney who has not complied with the requirements of this rule. Any pleadings or other papers filed in violation of this rule shall be stricken from the record upon the motion of any party or by the court or administrative agency sua sponte. A request for the issuance of a subpoena pursuant to Rule 45(a)(3) of the Rules of Civil Procedure is not subject to this Rule.

[Amended effective January 16, 2003; amended effective May 27, 2004 to place the responsibility of obtaining, filing and serving the statement of the Clerk of the Supreme Court with the foreign attorney seeking leave to appear pro hac vice; amended effective January 27, 2005 to provide legal assistance to certain military personnel and their families; amended effective March 24, 2005 to make technical corrections in references to federal laws; amended effective December 14, 2006, to delete the 21-day waiting period for proceedings on application of foreign attorney to appear pro hac vice; amended effective October 18, 2007, to provide for pro bono publicus attorneys; amended effective July 1, 2009.]