

# THE HARRION LAW FIRM

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August 30, 2016

Supreme Court of Mississippi  
Rules Committee on Civil Practice and Procedure  
Post Office Box 249  
Jackson, MS 39205

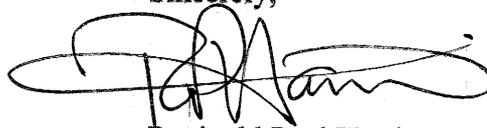
Re: Proposed Rule Changes

Dear Rules Committee:

Please accept the following proposed Rule changes for consideration.

- Rule 4(e). Last sentence. “[S]uch written waiver of service or entry of appearance, ***if filed as a separate document, may*** be executed ***on*** the day on which the action was commenced and be filed among the papers in the cause and noted on the general docket. ***Alternatively, a written joinder may be executed along with the document initiating the action and be filed among the papers in the cause and noted on the general docket, having the same force and effect as a waiver of service or entry of appearance.***”
- Rule 81(d)(5). Add language. “Upon the filing of any action or matter listed in subparagraphs (1) and (2) above, ***including counterclaims and cross-claims,*** summons shall issue commanding the defendant or respondent [***counter-defendant, etc.***] to appear and defend at a time and place, either in term time or vacation, at which the same shall be heard.” ... “If such action or matter is not heard on the day set for hearing, it may by order signed on that day ***or before*** be continued to a later day for hearing without additional summons on the defendant or respondent.”
- Add a rule, where appropriate, substantially similar to U.R.C.C.C.P. 4.03, Motion Practice.

Sincerely,



Reginald Paul Harrion