

Serial: 125652

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99001-SCT

***RE: THE RULES OF CIVIL
PROCEDURE***

ORDER

This matter came before the Court, en banc, on the Court's own motion for review of the Comment to Rule 6 of the Mississippi Rules of Civil Procedure. After due consideration, the Court found that the cross-reference to Miss. Code Ann. § 1-3-67 (1972) is obsolete and that the Comment should be amended to delete that cross reference.

IT IS THEREFORE ORDERED that the Comment to Rule 6 of the Mississippi Rules of Civil Procedure is amended to read as set forth in Exhibit "A" hereto.

IT IS FURTHER ORDERED that the Clerk of this Court shall spread this order upon the minutes of the Court and that a true certified copy be forwarded forthwith to West Publishing Company for publication in *Southern Reporter Second (Mississippi Edition)* and the *Mississippi Rules of Court*.

SO ORDERED, this the 29th day of July, 2005.

/s/ George C. Carlson, Jr.

GEORGE C. CARLSON, JR., JUSTICE,
FOR THE COURT

DIAZ AND RANDOLPH, JJ., NOT PARTICIPATING

EXHIBIT “A” TO ORDER

MISSISSIPPI RULES OF CIVIL PROCEDURE

RULE 6. TIME

[No changes are made in the rule or in the Advisory Committee Historical Notes.]

Comment

The purpose of Rule 6 is to provide reasonably flexible, general guidelines for the measurement of time periods under these rules. Rule 6(a) implements a new method for computing time by excluding Saturday or legal holidays from being the last day of a time period, and excluding intermediate Saturdays, Sundays, and legal holidays from the computation when the total time period is less than seven days. ~~Contra Miss. Code Ann. § 1-3-67 (1972).~~

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[Amended effective August 11, 2005.]