

Serial: **142752**

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99025-SCT

***IN RE: UNIFORM RULES OF CIRCUIT AND
COUNTY COURT PRACTICE***

ORDER

By order of this Court, issued March 22, 2001, Rule 4.02 of the Uniform Rules of Circuit and County Court Practice was amended to require a deposit of One Thousand Dollars for cases in which a complaint is filed pursuant to Miss. Code Ann. § 11-27-81. Following public comment, the Court entered an order on April 12, 2001, suspending the effect of the amendment pending further study. After due consideration, the Court now finds that the March 22, 2001, amendment to Rule 4.02 should be repealed.

IT IS THEREFORE ORDERED that the March 22, 2001, amendment to Rule 4.02, requiring a deposit of One Thousand Dollars for a complaint filed pursuant to Miss. Code Ann. § 11-27-81 is hereby repealed. Rule 4.02 shall read as follows:

**Rule 4.02
COST DEPOSIT**

1. A cost deposit shall be made with the clerk of the court at the time of the filing of the complaint in the amount of \$75.00.

[Adopted effective May 1, 1995; amended effective June 29, 1995; amended March 22, 2001; amendment suspended April 12, 2001; March 22, 2001 amendment repealed October 11, 2007.]

IT IS FURTHER ORDERED that the Clerk of the Court shall spread this Order upon the minutes of the Court and shall forward a true certified copy to West Publishing for publication in the *Mississippi Rules of Court* and in the *Southern Reporter, Second Series, (Mississippi Edition)*.

SO ORDERED, this the 5th day of October, 2007.

/s/ William L. Waller, Jr.

WILLIAM L. WALLER, JR., PRESIDING JUSTICE

NOT PARTICIPATING: GRAVES, J.