

03-AP-241



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m>

To: Rules\_Comments@ao.uscourts.gov  
cc:  
Subject: Proposed FRAP 32.1

02/02/2004 04:32 PM

2/2/04

I am writing to comment on proposed FRAP 32.1, which would allow citation of unpublished opinions as precedent. I am opposed to this proposed rule change, as I believe it would be detrimental to all litigants, particularly the indigent. Unpublished opinions are not drafted with the same care as published opinions, and frequently omit details and nuances of the facts of the case; as such, their value is limited. In addition, I am concerned with the problems incarcerated defendants would have with complying with the copying requirements. I am also concerned that the use of unpublished cases would slow down an already bogged-down appellate process.

Sincerely,

Katherine Kimball Windsor

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