

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
FEDERAL COURTHOUSE
BIRMINGHAM, ALABAMA 35203

RECEIVED
1/18/05

04-CV-097

CHAMBERS OF
WILLIAM M. ACKER, JR.
JUDGE

January 10, 2005

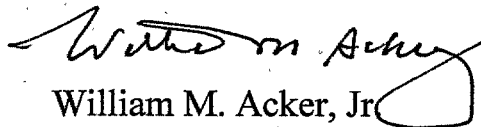
Mr. Peter G. McCabe, Secretary
Committee on Rules of Practice
and Procedure
Administrative Office of the
United States Courts
Washington, D.C. 20544

RE: Comment on Proposed Amendment to Rule 5(e),
Federal Rules of Civil Procedure

Dear Mr. McCabe:

My only comment on the proposal to amend Rule 5(e) is to question why we need to add the word "require" when most district courts, including the one on which I sit, already **require** electronic filing by local rule? Do the judges want to admit they have gotten ahead of themselves and are violating the law? Either we have the authority to do what we have already done, in which event we do not need a rule change, or we do not have that authority and we should be ashamed.

Respectfully yours,


William M. Acker, Jr.

WMA/bh