

From: [Patty Barksdale](#)
To: [RulesCommittee Secretary](#)
Subject: Suggestion: Amendment to Federal Rule of Criminal Procedure 59(b)(2)
Date: Monday, June 21, 2021 12:36:10 PM

Please consider adding to Fed. R. Crim. P. 59(b)(2) a 14-day period to respond to objections. The counterpart in the civil rules, Fed. R. Civ. P. 72(b)(2), includes this period. Why there is a difference is unclear. Briefing from both sides is helpful in both contexts. Thank you for considering this suggestion.

Rule 59(b)(2):

(2) Objections to Findings and Recommendations. Within 14 days after being served with a copy of the recommended disposition, or at some other time the court sets, a party may serve and file specific written objections to the proposed findings and recommendations. Unless the district judge directs otherwise, the objecting party must promptly arrange for transcribing the record, or whatever portions of it the parties agree to or the magistrate judge considers sufficient. Failure to object in accordance with this rule waives a party's right to review.

Rule 72(b)(2):

(2) Objections. Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. **A party may respond to another party's objections within 14 days after being served with a copy.** Unless the district judge orders otherwise, the objecting party must promptly arrange for transcribing the record, or whatever portions of it the parties agree to or the magistrate judge considers sufficient.

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