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To: <Rules_Comments@ao.uscourts.gov>
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Subject: Unpublished Opinions

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03-AP-041

I am advised that the Federal courts are contemplating the adoption of a rule that would permit the citing of unpublished opinions as precedent. Since such opinions have by definition been determined by the hearing courts to be beneath the dignity of an effort to set forth reasoning due to the lack of importance of the holding precedentially, the adoption of this proposed rule would needlessly and expensively enlarge work for clients, whilst not bringing to the attention of the courts any thoughtful rationale for a given holding. We oppose any such change in the rules.

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