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12/14/2003 04:48 PM

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Appellate: Yes
Comments:

03-AP-043

Dear Mr. McCabe:

I am writing to express my opposition to proposed FRAP 32.1. As a lawyer who practices in multiple jurisdictions, I am already concerned at the recent, marked increase in the number of published opinions. If unpublished opinions become fair game for citation, this will greatly increase the burden on appellate courts and litigators, particularly in the larger and more active circuits. This is precisely the sort of issue that should be decided on a circuit-by-circuit basis because the effects will differ significantly among the jurisdictions. Moreover, given the many other differences in local rules that will continue to exist, any benefit from enhanced uniformity will be negligible.

I urge you to reject this proposed new rule.

Sincerely,
Theresa Trzaskoma

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