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 Appellate: Yes  
 Comments:

I write to record my strong support for proposed Rule 32.1 re unpublished opinions. Unpublished opinions are readily available on the various electronic databases and, to the extent that they are salient and well-reasoned, should be citable as persuasive authority for whatever they are worth. The notion that federal appellate judges must be protected by a blanket bar against citation of such opinions is mistaken. Well-reasoned opinions, published or not, will--and should--have weight. Federal appellate judges are perfectly capable of deciding how much on an ad hoc basis.

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