

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

NOTICE OF PROPOSED AMENDMENT OF LOCAL RULE 28(b)

PLEASE TAKE NOTICE that the Court intends to amend Local Rule 28(b), governing addenda and attachments to briefs. The proposed amendment conforms the language of the local rule to the federal rules by replacing the current description of required addendum material with a reference to Rule 28(f) of the Federal Rules of Appellate Procedure, governing reproduction of statutes, rules, regulations, etc.

The proposed amendment will take effect on August 20, 2007. Interested parties may submit comments on or before August 17, 2007, to:

Patricia S. Connor, Clerk
U.S. Court of Appeals for the Fourth Circuit
1100 E. Main Street, Suite 501
Richmond, Virginia 23219

June 19, 2007
Date

/s/ Patricia S. Connor
Clerk

Local Rule 28(b). Addenda and Attachments to Briefs.

Each party shall include, in the body of the brief or in an addendum thereto, the verbatim text of the relevant portion of any constitutional provision, treaty, statute, ordinance, rule or regulation cited in the brief, if its construction is sought, there is controversy among the parties concerning its proper application to the case, or it is otherwise pertinent to the substantive issues on appeal. Each party shall also include in the addendum any unpublished opinion cited pursuant to FRAP 32.1(a) or Local Rule 32.1 when such inclusion is required by FRAP 32.1(b). A party may comply with the requirements of FRAP 28(f) and FRAP 32.1(b) by including material or items designated therein in an addendum at the end of the brief or by supplying them to the Court under separate cover. Should a party wish to supplement the brief with matters other than those enumerated above designated in FRAP 28(f) or FRAP 32.1(b), the additional material shall **must** be presented to the Court under separate cover, accompanied by a motion for leave to file that specifically identifies the proposed material, indicates whether it is a matter of record, and sets forth good cause for deviating from the general prohibition of attachments to briefs such supplemental material as an attachment to the brief.