

Serial: 214845

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99027-SCT

*IN RE: MISSISSIPPI RULES OF
APPELLATE PROCEDURE*

ORDER

This matter is before the en banc Court on the Court's own motion.

After due consideration, we find Rule 24 of the Mississippi Rules of Appellate Procedure should be struck from the Rules, as set forth in the attached Exhibit A.

IT IS THEREFORE ORDERED that Rule 24 of the Mississippi Rules of Appellate Procedure is struck from the Rules, as set forth in the attached Exhibit A. The amendment is effective upon entry of this order.

IT IS FURTHER ORDERED that the Clerk of this Court must spread this order upon the minutes of the Court and forward a certified copy to West Publishing Company for publication in the advance sheets of *Southern Reporter, Third Series (Mississippi Edition)*, and in the next edition of the *Mississippi Rules of Court*.

SO ORDERED, this the 29th day of September, 2017.

/s/ Michael K. Randolph

MICHAEL K. RANDOLPH,
PRESIDING JUSTICE
FOR THE COURT

AGREE: WALLER, C.J., RANDOLPH AND KITCHENS, P.JJ., KING, COLEMAN,
MAXWELL, BEAM AND CHAMBERLIN, JJ.

ISHEE, J., NOT PARTICIPATING.

EXHIBIT A

RULE 24. ~~[OMITTED] COURT SITTING IN PANELS~~

~~(a) Panel Assignments: The Supreme Court.~~ The Supreme Court will sit in panels of three justices. The Chief Justice shall preside over Panel A; the senior Presiding Justice shall preside over Panel B; and the junior Presiding Justice shall preside over Panel C. The two justices of each panel, other than the justices who preside, shall be rotated as often as administratively practical. Substitutions may be made as circumstances may require. Each panel and each justice shall, as far as practical, be assigned the same work load.

~~(b) Consideration by Full Court: The Supreme Court.~~ In the event the justices composing any panel shall differ as to the judgment to be rendered in any cause, or in the event any justice of any panel shall certify that in his opinion any decision already made or about to be made by any panel of the Court is in conflict with any prior decision of the full Court, or of any panel, or that the cause is of such importance that it should be considered by the full Court, the cause shall then be considered and adjudged by the full Court.

~~(c) Consideration by Panels or Full Court: Court of Appeals.~~ The Court of Appeals may sit *en banc* or may sit in panels of no fewer than three judges of the Court of Appeals.

Advisory Committee Historical Note

Effective January 1, 1995, Miss.R.App.P. 24 replaced Miss.Sup.Ct.R. 24, embracing proceedings in the Court of Appeals. 644-647 So.2d LVIII-LIX (West Miss.Cases 1994).

Comment

Rule 24 continues the established framework as to the panels in which the Supreme Court sits and its practice in hearing cases *en banc*.