

United States Court of Appeals

District of Columbia Circuit
Washington, D.C. 20001-2866

Mark J. Langer
Clerk

General Information
(202) 216-7000

NOTICE OF RULE AMENDMENT

The court has adopted an amendment to Circuit Rule 35, effective December 1, 2020. A redlined version of the amendment is attached to this notice and posted on the court's web site. The revision is designed to conform with amendments to the Federal Rules of Appellate Procedure that will take effect December 1, 2020.

Changes to the Circuit's Handbook of Practice and Internal Procedures will also become effective on December 1, 2020. Extracts from the Circuit Handbook reflecting the revisions will be available on the court's web site at www.cadc.uscourts.gov under "Events and Announcements" and under "Rules & Procedures." A revised version of the Federal and Circuit Rules and Handbook will also be posted on the court's web site.

Copies of this Notice will be published by the means specified in Circuit Rule 47(c).

Date: November 25, 2020

Mark J. Langer, Clerk

Circuit Rule 35

Petition for Panel Rehearing and Petition for Hearing or Rehearing En Banc

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(d) Disposition of Petition. A petition for rehearing ordinarily will not be granted, nor will an opinion or judgment be modified in any significant respect in response to a petition for rehearing, in the absence of a request by the court for a response to the petition. A response to a petition for hearing or rehearing en banc must conform to the length limits of FRAP 35; a response to a petition for panel rehearing must conform to the length limits of FRAP 40.

A petition for panel rehearing will not be acted upon until action is ready to be taken on any timely petition for rehearing en banc. If rehearing en banc is granted, the panel's judgment, but ordinarily not its opinion, will be vacated, and the petition for panel rehearing may be acted upon without awaiting final termination of the en banc proceeding. Upon termination of the en banc proceeding, a new judgment will be issued. If the en banc court divides evenly, a new judgment affirming the decision under review will be issued.