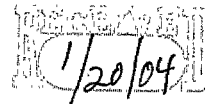




martha hall  
<marthamhall@yahoo.  
com>

01/20/2004 02:54 PM

To: Rules\_Comments@ao.uscourts.gov  
cc:  
Subject: Proposed FRAP 32.1



03-AP-154

My name is Martha Hall. I have practiced before the Ninth Circuit Court of Appeal, as well as other appellate courts, for over fifteen years. I am writing to voice my opposition to the proposed rule to allow citation to unpublished opinions in appellate practice. My experience with such unpublished opinions is that they are usually devoid of legal analysis and scarce on both authority and supporting logical argument. Allowing attorneys to cite such authority will allow the attorneys to fill in the gaps with their own reasoning. Even worse, since access to such unpublished opinions depends on access to electronic data basis which usually require expensive subscriptions or per-minute charges, indigent and pro-se litigants will not have access to this very large group of cases. Opinions are deemed unpublished for a reason, i.e. they are not suitable for citation and should not be cited as authority. The rule on citation of unpublished opinions should not be changed.

Sincerely,

Martha M. Hall  
DiIorio & Hall, A.P.C.

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