

IN THE SUPREME COURT OF ALABAMA
October 30, 2009

ORDER

IT IS ORDERED that Rule 1.3(a), Alabama Rules of Criminal Procedure, is amended to read in accordance with the appendix to this order;

IT IS FURTHER ORDERED that this amendment is effective immediately;

IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow Rule 1.3:

"Note from the reporter of decisions: The order amending Rule 1.3(a), effective October 30, 2009, is published in that volume of Alabama Reporter that contains Alabama cases from ___ So. 3d."

Cobb, C.J., and Lyons, Woodall, Stuart, Smith, Bolin, Parker, Murdock, and Shaw, JJ., concur.

I Robert G. Esdale, Sr., as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true and correct copy of the instrument(s) herewith set out as same appear(s) of record in said Court.

Witness my hand this 30th day of October, 2009

Robert G. Esdale, Sr.

Clerk, Supreme Court of Alabama

APPENDIX

Rule 1.3. Computation and Enlargement of Time.

(a) Computation. In computing any period of time of more than twenty-four (24) hours prescribed by these rules, by order of court, or by any applicable statute, the day of the act or event from which the designated period of time begins to run is not to be included. The last day of the period so computed shall be included, unless that day is a Saturday, Sunday, legal holiday, a day the county courthouse is closed, or a day on which the appropriate clerk's office is closed pursuant to Rule 5(B) or (C), Alabama Rules of Judicial Administration (Ala. R. Jud. Admin.), in which case the period shall run until the end of the next day which is not a Saturday, Sunday, a legal holiday, a day the county courthouse is closed, or a day on which the clerk's office is closed pursuant to Rule 5(B) or (C), Ala. R. Jud. Admin. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays, legal holidays, days the county courthouse is closed, or days on which the clerk's office is closed pursuant to Rule 5(B) or (C), Ala. R. Jud. Admin., shall be excluded from the computation. As used in this rule, "legal holiday" includes New Year's Day, Birthday of Martin Luther King, Jr., Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Day, and any other day appointed as a holiday by the President or the Congress of the United States, or as prescribed in Ala. Code 1975, § 1-3-8. Whenever a party has the right or is required to take some action within a prescribed period after service of a notice or other paper and such service is allowed and made by mail, three (3) days shall be added to the prescribed period.