

IN THE SUPREME COURT OF ALABAMA
December 18, 2008

ORDER

IT IS ORDERED that Rule 5(D), Alabama Rules of Judicial Administration, be amended to read in accordance with Appendix A;

IT IS FURTHER ORDERED that Rule 26(a), Alabama Rules of Appellate Procedure, be amended to read in accordance with Appendix B;

IT IS FURTHER ORDERED that the amendments to these rules are effective immediately;

IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow Rule 5(D), Alabama Rules of Judicial Administration, and Rule 26(a), Alabama Rules of Appellate Procedure:

"Note from the reporter of decisions: The order adopting, effective immediately, Rule 5(D), Alabama Rules of Judicial Administration, and Rule 26(a), Alabama Rules of Appellate Procedure, is published in that volume of Alabama Reporter that contains Alabama cases from ___ So. 2d."

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

APPENDIX A

Alabama Rules of Judicial Administration

Rule 5. Clerk's and Register's Offices, Workdays

(D) Effect of Closing Offices on the Computation of Time Periods. If the last day of any period of time prescribed or allowed by these or any other rules adopted by the Supreme Court or by the local circuit court, or by any applicable statute, falls on any day in which the appropriate office of a circuit court clerk, a register, or a district court clerk is closed pursuant to (B) or (C) or by order of the chief justice, then the period allowed by law or rule shall be extended until the next routine workday on which such office is open.

APPENDIX B

Alabama Rules of Appellate Procedure.

Rule 26. Computation and extension of time.

(a) *Computation of time.* In computing any period of time prescribed by these rules, by an order of court, or by any applicable statute, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period shall be included, unless it is a Saturday, Sunday, or a legal holiday, in which event the period extends until the end of the next day which is not a Saturday, Sunday, or legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in 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 governor of the state, by the chief justice, by the legislature, or by the President or the Congress of the United States.