

FOR UPLOAD

MEMORANDUM

DATE: September 22, 2004

TO: Virgin Islands Bar Association
All members of the Virgin Islands Bar
All attorneys, public and private

FROM: George W. Cannon, Jr.
U.S. Magistrate Judge

CC: Hon. Raymond L. Finch, Chief Judge
Hon. Thomas K. Moore, District Judge
Hon. Geoffrey W. Barnard, Magistrate Judge

RE: Time For Replies to Responses to Motions

It has come to my attention that, while the Federal Rules of Civil Procedure allow the filing of motions, responses, and replies (Fed. R. Civ. P. 7.1(g)), currently there is no specified time period, either in the Federal Rules or the Local Rules, within which to file replies. Upon a close reading of the Rules, I have concluded that the ten (10) day time period specified in Fed. R. Civ. P. 7.1(f) applies only to responses or oppositions to motions, not to replies to said responses or oppositions.

In the absence of a specific rule, and unless and until a rule is adopted, I have determined that a five (5) day time period is appropriate. *See* LRCi 72.1(b)(2). All attorneys are hereby placed on notice that with regard to non-dispositive motions pending before me, movants will have five (5) days within which to file a reply to any response or opposition to a motion. The five (5) days shall be computed in accordance with Fed. R. Civ. P. 6(a), LRCi 6.1, and Fed. R. Civ. P. 6(e).