

United States Court of Appeals for the Fifth Circuit

ORDER
General Docket No. 2024-02

The court adopts the following amendment to the FIFTH CIRCUIT INTERNAL OPERATING PROCEDURES (changes are in red):

Internal Operating Procedure following 5th Cir. R. 41:

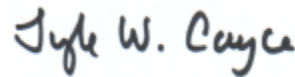
I.O.P. - Absent a motion for stay or a stay by operation of an order, rule, or procedure, mandates will issue promptly on the 8th day after the time for filing a petition for rehearing expires; or after entry of an order denying the petition. As an exception, and by Court direction, the clerk will immediately issue the mandate when the Court dismisses a case for failure to prosecute an appeal or for lack of jurisdiction, or in such other instances as the Court may direct. The original record and any exhibits will be returned to the clerk of the district court with the mandate.

Any active Fifth Circuit Judge may request that the court withhold issuance of its mandate. This is often done to resolve differences between the judge who requests that the mandate be withheld and the panel or to request that the court be polled on whether rehearing en banc should be granted whether or not a petition for rehearing en banc has been filed by a party. If a mandate is withheld, the judge shall notify the clerk to withhold the mandate,

and the clerk will enter an order withholding the mandate. The identity of the judge will not be disclosed in the order.

The amended rule is effective February 5, 2024.

Dated this 5th day of February 2024.

A handwritten signature in black ink that reads "Lyle W. Cayce". The signature is written in a cursive style and is contained within a thin black rectangular border.

LYLE W. CAYCE
Clerk of Court

ENTERED AT THE DIRECTION OF THE COURT