

**ORDER VACATING A DECLARATION
OF A JUDICIAL EMERGENCY
UNDER 28 U.S. CODE, SECTION 46(b)**

WHEREAS, on September 28, 1999, the court declared a judicial emergency under 28 U.S. Code, Section 46(b), because of a shortage of judges and a growing workload; and

WHEREAS, that order would expire by its own terms when the President nominated and the Congress advised and consented to the appointment of judges in regular active service provided by law; and

WHEREAS, refinements in case management procedures and decisional processes allow the court to operate satisfactorily, at the present time, despite being below its authorized complement of active judges;

IT IS THEREFORE ORDERED that the September 28, 1999, Declaration of a Judicial Emergency is no longer needed and is hereby vacated.



Edith H. Jones, Chief Judge
United States Court of Appeals
for the Fifth Circuit

January 8, 2007