UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI

IN THE MATTER OF THE EXTENSION OF
TIME FOR FILING NOTICES OF APPEAL
AND OTHER DOCUMENTS PURSUANT TO
RULE 26(A) OF THE FEDERAL RULES OF
CIVIL PROCEDURE

Federal Rule of Civil Procedure 6(a) provides in relevant part that "[I]n computing any period of time prescribed or allowed by these rules, by the local rules of any district court, by order of court, or by any applicable statute ... [t]he last day of the period shall be included, unless it is ... a day on which weather or other conditions have made the office of the clerk of the district court inaccessible, in which event the period runs until the end of the next day which is not one of the aforementioned days ...." Because of the impact of Hurricane Katrina on Monday, August 29, 2005, that date and the days thereafter until October 17, 2005, are deemed to be days which the office of the clerk of this court was not accessible.

Accordingly, any deadline for filing in the United States District Court for the Southern District of Mississippi a notice of appeal to the Court of Appeals for the Fifth Circuit on or after August 29, 2005, and before October 17, 2005, is extended to October 17, 2005. Any notice of appeal received by the District Court on or after August 29, 2005, and prior to October 17, 2005, shall be deemed to be "filed" on October 17, 2005.

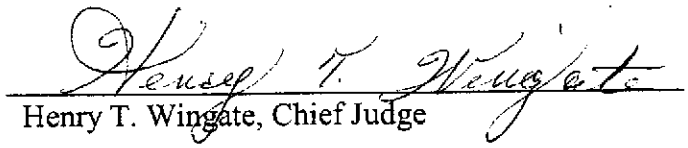
Similarly, any deadline for the filing of any other pleading or document in a case pending in this court on or after August 29, 2005, and before October 17, 2005, is extended to

October 17, 2005. Any such pleading or document received by this court on or after August 29, 2005, and prior to October 17, 2005, is deemed to be "filed" on October 17, 2005.

The Clerk of Court is instructed to promptly deny as moot any motion for an extension of time that is obviated by the effect of this Order.

Any motion for an extension of time beyond the times provided by this Order should be filed promptly. Parties are encouraged to confer in order to avoid the need for motions for such further extensions.

SO ORDERED, this 2nd day of September, 2005.



Henry T. Wingate, Chief Judge