

# UNITED STATES COURT OF APPEALS

For the Seventh Circuit  
219 South Dearborn Street, Room 2722  
Chicago, Illinois 60604

Christopher G. Conway  
Clerk of Court  
312-435-5850

**September 20, 2021**

## **Notice of Proposed Circuit Rule Change and Opportunity for Comment**

Notice is hereby given that the United States Court of Appeals for the Seventh Circuit, pursuant to 28 U.S.C. § 2071 proposes rescission of Circuit Rule 57. The reason for the rescission is that Circuit Rule 57 conflicts with the more recently adopted Federal Rule of Appellate Procedure 12.1. A copy of Circuit Rule 57 is provided below. Written comments on the proposed rule rescission should be sent by October 20, 2021, to:

Advisory Committee on Circuit Rules  
c/o Clerk of Court  
United States Court of Appeals  
For the Seventh Circuit  
219 South Dearborn Street, Room 2722  
Chicago, IL 60604

Comments can also be made via e-mail at: [USCA7\\_Clerk@ca7.uscourts.gov](mailto:USCA7_Clerk@ca7.uscourts.gov)

### **CURRENT RULE:**

#### **CIRCUIT RULE 57. Remands for Revision of Judgment**

A party who during the pendency of an appeal has filed a motion under Fed. R. Civ. P. 60(a) or 60(b), Fed. R. Crim. P. 35(b), or any other rule that permits the modification of a final judgment, should request the district court to indicate whether it is inclined to grant the motion. If the district court so indicates, this court will remand the case for the purpose of modifying the judgment. Any party dissatisfied with the judgment as modified must file a fresh notice of appeal.