



JUDICIAL CONFERENCE OF THE UNITED STATES

WASHINGTON, D.C. 20544

THE CHIEF JUSTICE
OF THE UNITED STATES
Presiding

JAMES C. DUFF
Secretary

December 21, 2006

MEMORANDUM

To: The Chief Justice of the United States and the Associate Justices of the Supreme Court

From: James C. Duff

RE: TRANSMITTAL OF PROPOSED AMENDMENTS TO THE FEDERAL RULES OF CRIMINAL PROCEDURE

By direction of the Judicial Conference of the United States, pursuant to the authority conferred by 28 U.S.C. § 331, I transmit herewith for consideration of the Court proposed amendments to Rules 11, 32, 35, 45, and new Rule 49.1 of the Federal Rules of Criminal Procedure, and a recommendation to abrogate the Model Form for Use in 28 U.S.C. § 2254 Cases Involving a Rule 9 Issue in the Appendix of Forms to the Rules Governing Section 2254 Cases in the United States Courts (Model Form 9), which were approved by the Judicial Conference at its September 2006 session. The Judicial Conference recommends that the amendments, new rule, and abrogation of Model Form 9 be approved by the Court and transmitted to the Congress pursuant to law.

For your assistance in considering the proposed amendments, new rule, and abrogation of Model Form 9, I am transmitting an excerpt from the Report of the Committee on Rules of Practice and Procedure to the Judicial Conference as well as the Report of the Advisory Committee on the Federal Rules of Criminal Procedure.

Attachments