



COURT OF APPEALS

STATE OF TENNESSEE
WESTERN SECTION

PRESIDING JUDGE
J. STEVEN STAFFORD

ASSOCIATE JUDGES
ARNOLD B. GOLDIN
BRANDON O. GIBSON
KENNY W. ARMSTRONG

NANCY ACRED
CHIEF DEPUTY CLERK
SUPREME COURT BUILDING
P.O. BOX 909
JACKSON, TENNESSEE 38302

October 30, 2014

James Hivner, Clerk
Tennessee Appellate Courts
100 Supreme Court Building
401 7th Avenue North
Nashville, TN 37219-1407

Re: Rule 4(H)
Docket # ADM2014-02118

Dear Mr. Hivner:

I have reviewed the Supreme Court's proposed revision to Rule 4(H)(1) of the Rules of the Tennessee Supreme Court. I believe the proposed revision is a welcome change. However, I do want to bring a potential issue to your attention. While most attorneys have unfettered access to Lexis and/or Westlaw, many pro se litigants do not. Pro se litigants, especially those who are incarcerated, may not even have Internet access. Additionally some attorneys may have a very limited database access and may not be able to access unpublished opinions outside of Tennessee.

Therefore, I propose that the amendment include a provision that either (a) does not require unpublished opinions be provided to the Court but does require those unpublished opinions be provided to all other parties; or (b) requires the party citing the unpublished opinion to provide a copy of the opinion to a party or party's counsel within five (5) days of a request from such party or party's counsel.

Sincerely,

A handwritten signature in cursive script that reads "Brandon O. Gibson".

Brandon O. Gibson