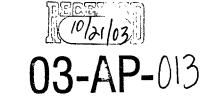
UNITED STATES COURT OF APPEALS

For The Fourth Circ 1:12
Post Office Box 10857
Greenville, South Carolina 29603



William W. Wilkins Chief Judge Telephone (864) 233-7081 Facsimile (864) 242-0489

October 15, 2003

Honorable Anthony J. Scirica
Chief United States Circuit Judge
United States Court of Appeals
for the Third Circuit
22614 James Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1746

Honorable Samuel A. Alito, Jr. United States Circuit Judge United States Court of Appeals for the Third Circuit 357 United States Courthouse Newark, NJ 07101-0999

Re: Proposed Amendments to the Federal Rules of Practice and Procedure - FRAP 35

Dear Tony and Sam:

I share the same views regarding a proposed amendment to FRAP Rule 35 as those expressed by former Chief Judge Jay Wilkinson. The rule now in place in our court works best for our circuit and there does not appear to be any compelling reason for requiring uniformity among the circuits.

I appreciate your good work and thank you for allowing me to share my views.

Sincerely,

William W. Wilkins

WWW:be

cc: Honorable J. Harvie Wilkinson, III, U.S. Circuit Judge (4CCA)
Peter G. McCabe, Secretary, Rules Committee Support Office