

1.3.01 | CALCULATION OF DEADLINES

Fed. R. App. P. 26(a) Computing Time:

When computing deadlines, exclude the day of the event that triggers the period; count every day including Saturdays, Sundays, and legal holidays; and include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday. Fed. R. App. P. 26(a).

Fed. R. App. P. 26(c) Additional Time After Service:

When a party may or must act within a specified time after service, 3 days are added after the period would otherwise expire under Rule 26(a), unless the paper is delivered on the date of service stated in the proof of service. A paper that is served electronically is treated as delivered on the date of service; therefore 3 days are not added to the period allowed.

(4th Circuit Court of Appeals // December 2023)

