UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT
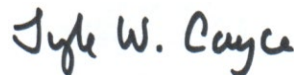
Notice of Proposed Amendment to 5TH CIR. R. 32.3

Pursuant to 28 U.S.C. § 2071, we give notice the court is considering amending 5TH CIR. R. 32.3 and Form 6 as shown below. Proposed changes are "redline text."

We solicit written comments for consideration on the proposed changes through January 4, 2024. You may mail comments to:

> Clerk of Court
> U.S. Court of Appeals for the Fifth Circuit
> ATTN: Rule Changes
> 600 South Maestri Place
> New Orleans, LA 70130

or send comments electronically to Changes@ca5.uscourts.gov.

Lyle W. Cayce
Clerk of Court

Fifth Circuit Rule 32.3

32.3. Certificate of Compliance. See Form 6 in the Appendix of Forms to the FED. R. APP. P. Additionally, counsel and unrepresented filers must further certify that no generative artificial intelligence program was used in drafting the document presented for filing, or to the extent such a program was used, all generated text, including all citations and legal analysis, has been reviewed for accuracy and approved by a human. A material misrepresentation in the certificate of compliance may result in striking the document and sanctions against the person signing the document.

FORM 6.

CERTIFICATE OF COMPLIANCE ~~WITH TYPE-VOLUME LIMIT~~

Certificate of Compliance ~~with Type-Volume Limit,~~
~~Typeface Requirements, and Type-Style Requirements~~

1. This document complies with [the type-volume limit of FED. R. APP. P. [*insert Rule Citation; e.g. 32(a)(7)(B)*]] [the word limit of FED. R. APP. P. [*insert Rule citation; e.g., 5(c)(1)*]] because, excluding the parts of the document exempted by FED. R. APP. P. 32(f) [and [*insert applicable Rule citation, if any*]]:

☐   this document contains [*state the number of*] words, **or**

☐   this brief uses a monospaced typeface and contains [*state the number of*] lines of text.

2. This document complies with the typeface requirements of FED. R. APP. P. 32(a)(5) and the type-style requirements of FED. R. APP. P. 32(a)(6) because:

☐   this document has been prepared in a proportionally spaced typeface using [*state name and version of word-processing program*] in [*state font size and name of type style*], **or**

☐   this document has been prepared in a monospaced typeface using [*state name and version of word-processing program*] with [*state number of characters per inch and name of type style*].

3. This document complies with the AI usage reporting requirement of 5TH CIR. R. 32.3 because:

☐   **no generative artificial intelligence program was used in the drafting of this document, or**

☐   **a generative artificial intelligence program was used in the drafting of this document and all generated text, including all citations and legal analysis, has been reviewed for accuracy and approved by a human.**

s/_____

Attorney for _____

Dated: _____