

1 **Rule 4. Time.**

2 ~~(a) In computing time under these rules:~~The following rules apply in computing any time period  
3 specified in these rules, any local rule or court order, or in any statute that does not specify a  
4 method of computing time.

5 (b) In computing time under these rules:

6 ~~(b)(1);~~ The day of the act, event or default from which the designated period of time begins to  
7 run shall not be included.

8 ~~(b)(2);~~ Count every day, including intermediate Saturdays, Sundays, and legal holidays.

9 ~~(b)(3);~~ The last day of the period shall be included unless it is a Saturday, Sunday, or legal  
10 holiday, in which event the period runs until the end of the next day which is not a Saturday,  
11 Sunday, or legal holiday. When a period of time allowed is less than 11 days, without reference  
12 to any additional time under subsection (d), intermediate Saturdays, Sundays and legal holidays  
13 shall be excluded from the computation.

14 ~~(b)(4);~~ Unless the court orders otherwise, if the clerk's office is inaccessible:

15 ~~(b)(4)(A);~~ on the last day for filing under Rule 4(b), then the time for filing is extended to the  
16 first accessible day that is not a Saturday, Sunday, or legal holiday.

17 ~~(c);~~ The court may, with or without motion or notice, for cause shown, order the time period  
18 enlarged if request is made before the period has expired. The court may consider a motion to  
19 grant an enlargement of a time period made after the period has expired, and may grant the  
20 motion, if there is a reasonable excuse for failure to act within the period.

21 ~~(e);~~ A written motion, other than one which may be heard ex parte, and notice of the hearing shall  
22 be served not later than five days before the time specified for the hearing, unless a different  
23 period is fixed by these rules or by court order. An order fixing the period of time may for cause  
24 shown be made on an ex parte application. When the motion is supported by an affidavit, the  
25 affidavit shall be served with the motion, and opposing affidavits may be served not later than  
26 one day before the hearing unless otherwise ordered by the court.

27 (d) Unless a different time is set by a statute or court order, filing on the last day means:

28 (d)(1) For electronic filing, before midnight; and

29 (d)(2) For filing by other means, before the clerk's office is scheduled to close.

30 ~~(e);~~ Whenever a party has the right or is required to do some act or take some proceedings  
31 within a prescribed time period after the service of a notice or other paper upon the party and the  
32 notice or paper is served by mail, three days shall be added to the prescribed period as calculated  
33 under subsection (b)-(a). Saturdays, Sundays, and legal holidays shall be included in the

34 ~~computation of any three-day period under this subsection, except that if the last day of the three-~~  
35 ~~day period is a Saturday, Sunday, or a legal holiday, the period shall run until the end of the next~~  
36 ~~day which is not a Saturday, Sunday, or a legal holiday.~~

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