

1 **Rule 49. Petition for writ of certiorari.**

2 (a) **Contents.** The petition for a writ of certiorari ~~shall~~must contain, in the order indicated:

3 ~~(a)~~(1) A list of all parties to the proceeding in the court whose judgment is sought to
4 be reviewed, except where the caption of the case in the Supreme Court contains the
5 names of all parties~~;~~;

6 ~~(a)~~(2) A table of contents with page references~~;~~;

7 ~~(a)~~(3) A table of authorities with cases alphabetically arranged and with parallel
8 citations, agency rules, court rules, statutes, and authorities cited, with references to
9 the pages of the petition where they are cited~~;~~;

10 ~~(a)~~(4) The questions presented for review, expressed in the terms and circumstances
11 of the case but without unnecessary detail. The statement of the questions should be
12 short and concise and should not be argumentative or repetitious. General
13 conclusions, such as "the decision of the Court of Appeals is not supported by the
14 law or facts," are not acceptable. The statement of a question presented will be
15 deemed to comprise every subsidiary question fairly included ~~therein~~in that question.
16 Only the questions ~~set forth~~stated in the petition, or fairly included ~~therein~~in those
17 questions, will be considered by the Supreme Court~~;~~;

18 ~~(a)~~(5) A reference to the official and unofficial reports of any opinions issued by the
19 Court of Appeals~~;~~;

20 ~~(a)~~(6) A concise statement of the grounds on which the jurisdiction of the Supreme
21 Court is invoked, showing:

22 ~~(a)~~(6)(A) the date of the entry of the decision sought to be reviewed;

23 ~~(a)~~(6)(B) the date of the entry of any order respecting a rehearing and the date of
24 the entry and terms of any order granting an extension of time within which to
25 petition for certiorari;

26 ~~(a)(6)~~(C) reliance upon [Rule 48\(d\)\(1\)\(B\)](#), where a cross-petition for a writ of
27 certiorari is filed, stating the filing date of the petition for a writ of certiorari in
28 connection with which the cross-petition is filed; and

29 ~~(a)(6)~~(D) the statutory provision believed to confer jurisdiction on the Supreme
30 Court;

31 ~~(a)(7) Controlling provisions of constitutions, statutes, ordinances, and regulations set
32 forth verbatim with the appropriate citation. If the controlling provisions involved are
33 lengthy, their citation alone will suffice and their pertinent text shall be set forth in the
34 appendix referred to in subparagraph (10) of this paragraph.~~

35 ~~(a)(78)~~ A statement of the case. ~~The statement shall first indicate briefly the nature of
36 the case, the course of the proceedings, and its disposition in the lower courts. There
37 shall follow a statement of the facts relevant to the issues presented for review that
38 includes the facts and the procedural background relevant to the issues presented for
39 review.~~ All statements of fact and references to the proceedings below ~~shall~~ must be
40 supported by citations to the record on appeal or to the opinion of the Court of
41 Appeals;

42 ~~(a)(89)~~ With respect to each question presented, a direct and concise argument
43 explaining the special and important reasons as provided in [Rule 46](#) for the issuance
44 of the writ; ~~and~~

45 ~~(a)(910)~~ An appendix containing, in the following order:

46 ~~(a)(10)~~(A) copies of all opinions, including concurring and dissenting opinions,
47 and all orders, including any order on rehearing, delivered by the Court of
48 Appeals in rendering the decision sought to be reviewed;

49 ~~(a)(10)~~(B) copies of any other opinions, findings of fact, conclusions of law, orders,
50 judgments, or decrees that were rendered in the case or in companion cases by the
51 Court of Appeals and by other courts or by administrative agencies and that are

52 relevant to the questions presented. Each document ~~shall~~must include the caption
53 showing the name of the issuing court or agency, the title and number of the case,
54 and the date of its entry; and

55 ~~(a)(10)~~(C) any other judicial or administrative opinions or orders that are relevant
56 to the questions presented but were not entered in the case that is the subject of
57 the petition.

58 ~~If the material that is required by subparagraphs (7) and (10) of this paragraph is~~
59 ~~voluminous, they may be separately presented.~~The appendix may be separately
60 presented; and;

61 (10) A certificate of compliance. The filer must certify that the petition complies with:

62 (A) paragraph (d), governing the number of pages or words (the filer may rely on
63 the word count of the word processing system used to prepare the petition); and

64 (B) Rule 21, governing public and private records.

65 (b) **Form of petition.** The petition for a writ of certiorari ~~shall~~must comply with the form
66 of a brief as specified in Rule 27.

67 (c) **No separate brief.** All contentions in support of a petition for a writ of certiorari ~~shall~~
68 must be set forth in the body of the petition, ~~as provided in subparagraph (a)(9) of this~~
69 ~~rule.~~ The petitioner ~~shall~~may not file a separate brief in support of a petition for a writ of
70 certiorari. ~~If the petition is granted, the petitioner will be notified of the date on which the~~
71 ~~brief in support of the merits of the case is due.~~

72 (d) **Page or word limitation.** The petition for a writ of certiorari ~~shall~~must be as short as
73 possible, and no more than 4,000 words or ~~but may not exceed 2015~~ pages if a word count
74 is not provided, ~~excluding~~ These limits do not include ~~the subject index, the~~any table of
75 contents, table of authorities, ~~any verbatim quotations required by subparagraph (a)(7)~~
76 ~~of this rule, and the~~ appendix, or certificates.

77 (e) **Absence of accuracy, brevity, and clarity.** The failure of a petitioner to present with
78 accuracy, brevity, and clarity whatever is essential to a ready and adequate
79 understanding of the points requiring consideration will be a sufficient reason for
80 denying the petition.

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