

1 **Rule 22. Computation and enlargement of time.**

2 (a) Computation of time. In computing any period of time prescribed by these rules, by an order
3 of the court, or by any applicable statute, the day of the act, event, or default from which the
4 designated period of time begins to run shall not be included. The last day of the period shall be
5 included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period extends
6 until the end of the next day that is not a Saturday, a Sunday, or a legal holiday. When the period
7 of time prescribed or allowed, without reference to any additional time under subsection (d), is
8 less than 11 days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the
9 computation. As used in this rule, "legal holiday" includes days designated as holidays by the
10 state or federal governments.

11 (b) Enlargement of time.

12 (b)(1) Motions for an enlargement of time for filing briefs beyond the time permitted by
13 stipulation of the parties under Rule 26(a) are not favored.

14 (b)(2) The court for good cause shown may upon motion ~~enlarge~~ extend the time prescribed by
15 these rules or by its order for doing any act, or may permit an act to be done after the expiration
16 of ~~such time~~; This rule does not authorize the court to extend the jurisdictional deadlines
17 specified by any of the rules listed in Rule 2. ~~but the court may not enlarge the time for filing a~~
18 ~~notice of appeal or a petition for review from an order of an administrative agency except as~~
19 ~~specifically authorized by law.~~ For the purpose of this rule, good cause includes, but is not
20 limited to, the complexity of the case on appeal, engagement in other litigation, and extreme
21 hardship to counsel.

22 (b)(3) A motion for an enlargement of time shall be filed prior to the expiration of the time for
23 which the enlargement is sought.

24 (b)(4) A motion for enlargement of time shall state:

25 (b)(4)(A) with particularity the good cause for granting the motion;

26 (b)(4)(B) whether the movant has previously been granted an enlargement of time and, if so, the
27 number and duration of such enlargements;

28 (b)(4)(C) when the time will expire for doing the act for which the enlargement of time is sought;
29 and

30 (b)(4)(D) the date on which the act for which the enlargement of time is sought will be
31 completed.

32 (b)(5)(A) If the good cause relied upon is engagement in other litigation, the motion shall:

33 (b)(5)(A)(i) identify such litigation by caption, number and court;

34 (b)(5)(A)(ii) describe the action of the court in the other litigation on a motion for continuance;

35 (b)(5)(A)(iii) state the reasons why the other litigation should take precedence over the subject
36 appeal;

37 (b)(5)(A)(iv) state the reasons why associated counsel cannot prepare the brief for timely filing
38 or relieve the movant in the other litigation; and

39 (b)(5)(A)(v) identify any other relevant circumstances.

40 (b)(5)(B) If the good cause relied upon is the complexity of the appeal, the movant shall state the
41 reasons why the appeal is so complex that an adequate brief cannot reasonably be prepared by
42 the due date.

43 (b)(5)(C) If the good cause relied upon is extreme hardship to counsel, the movant shall state in
44 detail the nature of the hardship.

45 (b)(5)(D) All facts supporting good cause shall be stated with specificity. Generalities, such as
46 "the motion is not for the purpose of delay" or "counsel is engaged in other litigation," are
47 insufficient.

48 (c) Ex parte motion. Except as to enlargements of time for filing and service of briefs under Rule
49 26(a), a party may file one ex parte motion for enlargement of time not to exceed 14 days if no
50 enlargement of time has been previously granted, if the time has not already expired for doing
51 the act for which the enlargement is sought, and if the motion otherwise complies with the
52 requirements and limitations of paragraph (b) of this rule.

53 (d) Additional time after service by mail. Whenever a party is required or permitted to do an act
54 within a prescribed period after service of a paper and the paper is served by mail, 3 days shall be
55 added to the prescribed period.

