

1 **Rule 48. Time for petitioning.**

2 (a) **Timeliness of petition.** A petition for a writ of certiorari must be filed with the ~~Clerk~~
3 ~~of the~~ Supreme Court clerk within 30 days after ~~the entry of the final decision by~~ the
4 Court of Appeals' final decision is issued, and not from the date the remittitur is issued.
5 The docket fee ~~shall~~must be paid when ~~at the time of filing~~ the petition is filed.

6 (b) ~~Refusal~~ Rejection **of petition.** The clerk will ~~refuse~~ reject ~~to receive~~ any petition for
7 a writ of certiorari not timely filed or ~~which is beyond the time indicated in paragraph~~
8 ~~(a) of this rule or which is not~~ accompanied by the docket fee.

9 (c) **Effect of petition for rehearing.** ~~The time for filing a petition for a writ of certiorari~~
10 ~~runs from the date the decision is entered by the Court of Appeals, not from the date of~~
11 ~~the issuance of the remittitur.~~ If a petition for rehearing that complies with Rule 35(a) is
12 timely filed by any party, the time for filing the petition for a writ of certiorari for all
13 parties runs from the date ~~of the denial of~~ the petition for rehearing is denied or ~~of the~~
14 ~~entry of~~ a subsequent decision on ~~entered upon~~ the rehearing is issued. A request filed
15 under Rule 35(b) does not affect the time for filing a petition for a writ of certiorari,
16 unless the Court of Appeals treats the request as a petition for rehearing under Rule
17 35(a).

18 (d) **Time for cross-petition.**

19 (1) A cross-petition for a writ of certiorari must be filed:

20 (A) within the time provided in ~~Subdivisions~~ either paragraphs (a) and or
21 (c) of this rule; or

22 (B) within 30 days of the filing of the petition for a writ of certiorari.

23 (2) Any cross-petition that is timely only ~~pursuant to~~ under paragraph (d)(1)(B) ~~of~~
24 ~~this rule~~ will not be granted unless a timely petition for a writ of certiorari of
25 another party to the case is granted.

26 (3) The docket fee ~~shall~~must be paid when ~~at the time of filing~~ the cross-petition
27 is filed. The clerk ~~shall~~will ~~refuse~~reject any cross-petition not accompanied by the
28 docket fee.

29 (4) A cross-petition for a writ of certiorari may not be joined with any other
30 filing. The clerk ~~of the court shall~~ will ~~refuse~~reject any filing so joined.

31 (e) Time Extensions ~~of time~~.

32 (1) Before the time prescribed by paragraph (a) or (c) expires, the Supreme Court
33 will grant a party's request to extend the time for filing a petition or cross-
34 petition, not to exceed 30 days past the prescribed time.

35 ~~The Supreme Court, upon a showing of good cause, may extend the time for~~
36 ~~filing a petition or a cross-petition for a writ of certiorari upon motion filed not~~
37 ~~later than 30 days after the expiration of the time prescribed by paragraph (a) or~~
38 ~~(c) of this rule. Responses to such motions are disfavored and the court may rule~~
39 ~~at any time after the filing of the motion. No extension shall exceed 30 days past~~
40 ~~the prescribed time or 14 days from the date of entry of the order granting the~~
41 ~~motion, whichever occurs later, and no more than one extension will be granted.~~

42 (2) Within 30 days after the time prescribed by paragraph (a) or (c) expires, a
43 party may file a motion to extend the time for filing a petition or cross-petition.
44 The Supreme Court will grant the motion only upon a showing of good cause or
45 excusable neglect. No extension may exceed 30 days past the prescribed time or
46 14 days from the date the order granting the motion is entered, whichever occurs
47 later, and no more than one extension will be granted. The Supreme Court may
48 rule at any time after the motion is filed.

49 ~~The Supreme Court, upon a showing of good cause or excusable neglect, may~~
50 ~~extend the time for filing a petition or a cross-petition for a writ of certiorari~~
51 ~~upon motion filed not later than 30 days after the expiration of the time~~
52 ~~prescribed by paragraph (a) or (c) of this rule, whichever is applicable. No~~

53 ~~extension shall exceed 30 days past the prescribed time or 14 days from the date~~
54 ~~of entry of the order granting the motion, whichever occurs later, and no more~~
55 ~~than one extension will be granted.~~

56 ~~(f) Seven copies of the petition for a writ of certiorari, one of which shall contain an~~
57 ~~original signature, shall be filed with the Clerk of the Supreme Court.~~

58 *Effective November 1, 2020*