

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

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3 (a) Contents. The petition for a writ of certiorari shall contain, in the order indicated:

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

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9 (a)(2) A table of contents with page references.

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11 (a)(3) A table of authorities with cases alphabetically arranged and with parallel
12 citations, agency rules, court rules, statutes, and authorities cited, with references to the
13 pages of the petition where they are cited.

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

22
23 (a)(5) A reference to the official and unofficial reports of any opinions issued by the
24 Court of Appeals.

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

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

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31 (a)(6)(B) the date of the entry of any order respecting a rehearing and the date of the
32 entry and terms of any order granting an extension of time within which to petition for
33 certiorari;

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35 (a)(6)(C) reliance upon Rule 47(c), where a cross-petition for a writ of certiorari is filed,
36 stating the filing date of the petition for a writ of certiorari in connection with which the
37 cross-petition is filed; and

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39 (a)(6)(D) the statutory provision believed to confer jurisdiction on the Supreme Court.

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

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46 (a)(8) A statement of the case. The statement shall first indicate briefly ~~the nature of the~~
47 ~~case~~, the course of the proceedings, and its disposition in the lower courts. There shall
48 follow a statement of the facts relevant to the issues presented for review. All
49 statements of fact and references to the proceedings below shall be supported by
50 citations to the record on appeal or to the opinion of the Court of Appeals.

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52 (a)(9) With respect to each question presented, a direct and concise argument
53 explaining the special and important reasons as provided in Rule 46 for the issuance of
54 the writ.

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56 (a)(10) An appendix containing, in the following order:

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

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62 (a)(10)(B) copies of any other opinions, findings of fact, conclusions of law, orders,
63 judgments, or decrees that were rendered in the case or in companion cases by the
64 Court of Appeals and by other courts or by administrative agencies and that are relevant
65 to the questions presented. Each document shall include the caption showing the name
66 of the issuing court or agency, the title and number of the case, and the date of its entry;
67 and

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69 (a)(10)(C) any other judicial or administrative opinions or orders that are relevant to the
70 questions presented but were not entered in the case that is the subject of the petition.
71 If the material that is required by subparagraphs (7) and (10) of this paragraph is
72 voluminous, they may be separately presented.

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74 (b) Form of petition. The petition for a writ of certiorari shall comply with the form of a
75 brief as specified in Rule 27.

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77 (c) No separate ~~brief~~ memorandum. All contentions in support of a petition for a writ of
78 certiorari shall be set forth in the body of the petition, as provided in subparagraph (a)(9)
79 of this rule. The petitioner shall not file a separate ~~brief~~ memorandum in support of a
80 petition for a writ of certiorari. If the petition is granted, the petitioner will be notified of
81 the date on which the brief in support of the merits of the case is due.

82
83 (d) Page limitation. The petition for a writ of certiorari shall be as short as possible, but
84 may not exceed 20 pages, excluding the subject index, the table of authorities, ~~any~~
85 ~~verbatim quotations required by subparagraph (a)(7) of this rule,~~ and the appendix.

86
87 (e) Absence of accuracy, brevity, and clarity. The failure of a petitioner to present with
88 accuracy, brevity, and clarity whatever is essential to a ready and adequate
89 understanding of the points requiring consideration will be a sufficient reason for
90 denying the petition.

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