

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

2 (a) Timeliness of petition. A petition for a writ of certiorari must be filed with
3 the Clerk of the Supreme Court within 30 days after the entry of the final
4 decision by the Court of Appeals. The docket fee shall be paid at the time of
5 filing the petition.

6 (b) Refusal of petition. The clerk will refuse to receive any petition for a writ
7 of certiorari which is beyond the time indicated in paragraph (a) of this rule or
8 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
10 certiorari runs from the date the decision is entered by the Court of Appeals,
11 not from the date of the issuance of the remittitur. If a petition for rehearing
12 that complies with Rule 35(a) is timely filed by any party, the time for filing the
13 petition for a writ of certiorari for all parties runs from the date of the denial of
14 the petition for rehearing or of the entry of a subsequent decision entered
15 upon the rehearing.

16 (d) Time for cross-petition.

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

18 (d)(1)(A) within the time provided in Subdivisions (a) and (c) of this rule; or

19 (d)(1)(B) within 30 days of the filing of the petition for a writ of certiorari.

20 (d)(2) Any cross-petition timely only pursuant to paragraph (d)(1)(B) of this
21 rule will not be granted unless a timely petition for a writ of certiorari of another
22 party to the case is granted.

23 (d)(3) The docket fee shall be paid at the time of filing the cross-petition.

24 The clerk shall refuse any cross-petition not accompanied by the docket fee.

25 (d)(4) A cross-petition for a writ of certiorari may not be joined with any
26 other filing. The clerk of the court shall refuse any filing so joined.

27 (e) Extension of time.

28 (e)(1) The Supreme Court, upon a showing of good cause, may extend the
29 time for filing a petition or a cross-petition for a writ of certiorari upon motion
30 filed not later than 30 days after the expiration of the time prescribed by
31 paragraph (a) or (c) of this rule. Responses to such motions are disfavored
32 and the court may rule at any time after the filing of the motion. No extension
33 shall exceed 30 days past the prescribed time or 14 days from the date of
34 entry of the order granting the motion, whichever occurs later, and no more
35 than one extension will be granted.

36 (e)(2) The Supreme Court, upon a showing of good cause or excusable
37 neglect or good cause, may extend the time for filing a petition or a cross-
38 petition for a writ of certiorari upon motion filed not later than 30 days after the
39 expiration of the time prescribed by paragraph (a) or (c) of this rule, whichever
40 is applicable. Any such motion which is filed before expiration of the
41 prescribed time may be ex parte, unless the Supreme Court otherwise
42 requires. Notice of any such motion which is filed after expiration of the
43 prescribed time shall be given to the other parties. No extension shall exceed
44 30 days past the prescribed time or 140 days from the date of entry of the
45 order granting the motion, whichever occurs later, and no more than one
46 extension will be granted.

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