

1 **Rule 35. Petition for rehearing.**

2 (a) Petition for rehearing permitted. A rehearing will not be granted in the
3 absence of a petition for rehearing. A petition for rehearing may be filed only
4 in cases that have received plenary review and the court has issued an
5 opinion, memorandum decision, or per curiam decision. No other petitions for
6 rehearing will be considered.

7 ~~(b) Time for filing; contents; answer; oral argument not permitted. A~~
8 ~~rehearing will not be granted in the absence of a petition for rehearing. A~~
9 petition for rehearing may be filed with the clerk within 14 days after the entry
10 of the decision issuance of the opinion, memorandum decision, or per curiam
11 decision of the court, unless the time is shortened or enlarged by order.

12 (c) Contents of petition. The petition shall state with particularity the points
13 of law or fact which the petitioner claims the court has overlooked or
14 misapprehended and shall contain such argument in support of the petition as
15 the petitioner desires. Counsel for petitioner must certify that the petition is
16 presented in good faith and not for delay.

17 (d) Oral argument. Oral argument in support of the petition will not be
18 permitted.

19 (e) Response. ~~No answer~~response to a petition for rehearing will be
20 received unless requested by the court. ~~The~~Any answer~~response to the~~
21 ~~petition for rehearing~~ shall be filed within 14 days after the entry of the order
22 requesting the ~~answer~~response, unless otherwise ordered by the court. A
23 petition for rehearing will not be granted in the absence of a request for an
24 ~~answer~~response.

25 ~~(b) Form of petition; length.~~ The petition shall be in a form prescribed by
26 Rule 27 and shall include a copy of the decision to which it is directed.

27 (g) Number of copies to be filed and served. An original and ~~six~~6 copies
28 shall be filed with the court. Two copies shall be served on counsel for each
29 party separately represented.

30 (h) Length. Except by order of the court, a petition for rehearing and any
31 response requested by the court shall not exceed 15 pages.

32 (i) Color of cover. The cover of a petition for rehearing shall be tan; that of
33 any response to a petition for rehearing filed by a party, white; and that of any
34 response filed by an amicus curiae, green. All brief covers shall be of heavy
35 cover stock. There shall be adequate contrast between the printing and the
36 color of the cover.

37 (ej) Action by court if granted. If a petition for rehearing is granted, the court
38 may make a final disposition of the cause without reargument, or may restore
39 it to the calendar for reargument or resubmission, or may make such other
40 orders as are deemed appropriate under the circumstances of the particular
41 case.

42 (~~dk~~) Untimely or consecutive petitions. Petitions for rehearing that are not
43 timely presented under this rule and consecutive petitions for rehearing will
44 not be received by the clerk.

45 (el) Amicus curiae. An amicus curiae may not file a petition for rehearing
46 but may file an ~~answer~~ response to a petition if the court has requested an
47 ~~answer~~ response under subparagraph (ae) of this rule.