

1 **Rule 23. Motions.**

2 **(a) Content of motion.** Unless another form is elsewhere prescribed by these rules, an application
3 for an order or other relief ~~shall must~~ be made by filing a motion ~~for such order or relief with proof of~~
4 ~~service on all other parties.~~ The motion ~~shall must~~ contain or be accompanied by the following:

- 5 (a)(1) A specific and clear statement of the relief sought;
- 6 (a)(2) A particular statement of the factual grounds;
- 7 (a)(3) If the motion is for other than an ~~enlargement~~ extension of time, a memorandum of points
8 and authorities in support; and
- 9 (a)(4) Affidavits and papers, where appropriate.

10 **(b) Response.** Any party may file a response to a motion within ~~40-14~~ days after ~~service~~ filing of the
11 motion; however, the court may, for good cause ~~shown~~, ~~dispense with~~, shorten or extend the time for
12 responding to ~~any a motion or act on a motion without waiting for a response.~~

13 **(c) Reply.** The moving party may file a reply only to answer new matter raised in the response. A
14 reply, if any, ~~may must~~ be filed no later than ~~5-7~~ days after filing of the response, but the court may rule
15 on the motion without awaiting a reply.

16 **(d) Determination of motions for procedural orders.** Notwithstanding ~~the provisions of paragraph~~
17 ~~(a) of this rule as to motions generally,~~ a motions for a procedural orders which do that does not
18 substantially affect the rights of the parties or the ultimate disposition of the appeal, ~~including any motion~~
19 ~~under Rule 22(b), may be acted upon at any time, on~~ without awaiting a response or reply. ~~Pursuant to~~
20 ~~rule or order of the~~ The court, motions for specified types of procedural orders may be disposed of by the
21 clerk by order may permit the clerk of the court to act on a motion for a procedural order. The court may
22 review ~~a disposition by action of the clerk upon on~~ motion of a party or ~~upon on~~ its own ~~motion~~ initiative.

23 **(e) Power of a single justice or judge to entertain motions.** ~~In addition to the authority expressly~~
24 ~~conferred by these rules or by law, a~~ A single justice or judge of the court may entertain and may grant or
25 ~~deny any request for relief which under these rules may properly be sought by rule on any motion, except~~
26 ~~that a single justice or judge may not dismiss or otherwise determine an appeal or other proceeding, and~~
27 ~~except that the court may provide by order or rule that any motion or class of motions must be acted upon~~
28 ~~by the court. The action of a single justice or judge may be reviewed by the court.~~ The court may review a
29 ruling by a justice or judge on motion of a party or on its own initiative.

30 **(f) Form of papers; number of copies.**

31 ~~(f)(1) Only the original of a motion to enlarge time shall be filed. The number of required copies of~~
32 ~~motions for summary disposition shall be governed by Rule 10(b). For other motions presented to the~~
33 ~~Supreme Court, the movant shall file with the clerk of the court an original and three copies. For other~~
34 ~~motions pending in the Supreme Court, the respondent shall file an original and three copies of the~~
35 ~~response. For a motion presented to the Court of Appeals, the movant shall file with the clerk of the court~~
36 ~~an original and four copies. For a motion pending in the Court of Appeals, the respondent shall file an~~
37 ~~original and four copies of the response.~~

38 ~~(f)(2) Motions and other papers shall be typewritten on opaque, unglazed paper 8 1/2 by 11 inches in~~
39 ~~size. Paper may be recycled paper, with or without deinking. The text shall be in type not smaller than ten~~
40 ~~characters per inch. Lines of text shall be double spaced and shall be upon one side of the paper only.~~
41 ~~Consecutive sheets shall be attached at the upper left margin.~~

42 ~~(f)(3) A~~ Except as provided in Rule 27, a motion or other paper shall document must contain a caption
43 setting forth stating the name of the court, the title of the case, the docket number, and a brief ~~descriptive~~
44 title indicating describing the purpose of the ~~paper document~~. ~~The attorney shall sign all papers filed with~~
45 ~~the court with his or her individual name.~~ The attorney shall give state his or her business address,
46 telephone number, email address on file with the Utah State Bar, and Utah State Bar number in the upper
47 left hand corner of the first page of every paper document filed with the court except briefs, petitions for
48 writ of certiorari and petitions for rehearing. A party who is not represented by an attorney ~~shall sign any~~
49 ~~paper filed with the court and must~~ state the party's address, email address and telephone number in the
50 upper left hand corner of the first page of every document filed with the court except briefs, petitions for
51 writ of certiorari and petitions for rehearing.

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