

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 within 30 days after the entry of the final decision by the Court of
4 Appeals. The docket fee shall be paid at the time of filing the petition.

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

8 (c) Effect of petition for rehearing. The time for filing a petition for a writ of certiorari
9 runs from the date the decision is entered by the Court of Appeals, not from the date of
10 the issuance of the remittitur. If a petition for rehearing that complies with Rule 35(a) is
11 timely filed by any party, the time for filing the petition for a writ of certiorari for all parties
12 runs from the date of the denial of the petition for rehearing or of the entry of a
13 subsequent decision entered upon the rehearing.

14 (d) Time for cross-petition.

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

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

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

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

21 (d)(3) The docket fee shall be paid at the time of filing the cross-petition. The clerk
22 shall refuse any cross-petition not accompanied by the docket fee.

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

25 (e) Extension of time.

26 (e)(1) The Supreme Court, upon a showing of good cause, may extend the time for
27 filing a petition or a cross-petition for a writ of certiorari upon motion filed ~~not later than~~
28 ~~30 days after~~ before the expiration of the time prescribed by paragraph (a) or (c) of this
29 rule. Responses to such motions are disfavored and the court may rule at any time after
30 the filing of the motion. No extension shall exceed 30 days past the prescribed time or

31 14 days from the date of entry of the order granting the motion, whichever occurs later,
32 and no more than one extension will be granted.

33 (e)(2) The Supreme Court, upon a showing of good cause or excusable neglect,
34 may extend the time for filing a petition or a cross-petition for a writ of certiorari upon
35 motion filed not later than 30 days after the expiration of the time prescribed by
36 paragraph (a) or (c) of this rule, whichever is applicable. No extension shall exceed 30
37 days past the prescribed time or 14 days from the date of entry of the order granting the
38 motion, whichever occurs later, and no more than one extension will be granted.

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

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