

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

2 (a) **Timeliness of petition.** A petition for a writ of certiorari must be filed with the ~~Clerk of the~~
3 Supreme Court clerk within 30 days after ~~the entry of the final decision by the Court of Appeals'~~
4 final decision is issued, and not from the date the remittitur is issued. The docket fee ~~shall~~must
5 be paid when at the time of filing the petition is filed.

6 (b) ~~Refusal-Rejection~~ **of petition.** The clerk will ~~refuse-reject to receive~~ any petition for a writ
7 of certiorari not timely filed or ~~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 certiorari runs~~
10 ~~from the date the decision is entered by the Court of Appeals, not from the date of the issuance of~~
11 ~~the remittitur.~~ If a petition for rehearing that complies with Rule 35(a) is timely filed by any
12 party, the time for filing the petition for a writ of certiorari for all parties runs from the date ~~of~~
13 ~~the denial of~~ the petition for rehearing is denied or ~~of the entry of~~ a subsequent decision
14 on entered upon the rehearing is issued. A request filed under Rule 35(b) does not affect the time
15 for filing a petition for a writ of certiorari, unless the Court of Appeals treats the request as a
16 petition for rehearing under Rule 35(a).

17 (d) **Time for cross-petition.**

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

19 (A) within the time provided in ~~Subdivisions~~ either paragraphs (a) ~~and~~ or (c) of
20 this rule; or

21 (B) within 30 days of the filing of the petition for a writ of certiorari.

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

25 (3) The docket fee ~~shall~~must be paid when at the time of filing the cross-petition is filed.
26 The clerk ~~shall~~will ~~refuse-reject~~ any cross-petition not accompanied by the docket fee.

27 (4) A cross-petition for a writ of certiorari may not be joined with any other filing. The
28 clerk ~~of the court shall~~ will ~~refuse-reject~~ any filing so joined.

29 (e) Time Extensions of time.

30 (1) Before the time prescribed by paragraph (a) or (c) expires, the Supreme Court will
31 grant a party's request to extend the time for filing a petition or cross-petition, not to
32 exceed 30 days past the prescribed time.

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

40 (2) Within 30 days after the time prescribed by paragraph (a) or (c) expires, a party may
41 file a motion to extend the time for filing a petition or cross-petition. The Supreme Court
42 will grant the motion only upon a showing of good cause or excusable neglect. No
43 extension may exceed 30 days past the prescribed time or 14 days from the date the order
44 granting the motion is entered, whichever occurs later, and no more than one extension
45 will be granted. The Supreme Court may rule at any time after the motion is filed.

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

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