

1 **Rule 49. Petition for writ of certiorari.**

2 (a) **Contents.** The petition for a writ of certiorari shall contain, in the order indicated:

3 (a)(1) A list of all parties to the proceeding in the court whose judgment is sought to be
4 reviewed, except where the caption of the case in the Supreme Court contains the names of
5 all parties.

6 (a)(2) A table of contents with page references.

7 (a)(3) A table of authorities with cases alphabetically arranged and with parallel citations,
8 agency rules, court rules, statutes, and authorities cited, with references to the pages of the
9 petition where they are cited.

10 (a)(4) The questions presented for review, expressed in the terms and circumstances of
11 the case but without unnecessary detail. The statement of the questions should be short and
12 concise and should not be argumentative or repetitious. General conclusions, such as "the
13 decision of the Court of Appeals is not supported by the law or facts," are not acceptable. The
14 statement of a question presented will be deemed to comprise every subsidiary question
15 fairly included therein. Only the questions set forth in the petition or fairly included therein
16 will be considered by the Supreme Court.

17 (a)(5) A reference to the official and unofficial reports of any opinions issued by the
18 Court of Appeals.

19 (a)(6) A concise statement of the grounds on which the jurisdiction of the Supreme Court
20 is invoked, showing:

21 (a)(6)(A) the date of the entry of the decision sought to be reviewed;

22 (a)(6)(B) the date of the entry of any order respecting a rehearing and the date of the
23 entry and terms of any order granting an extension of time within which to petition for
24 certiorari;

25 (a)(6)(C) reliance upon Rule ~~47(e)~~ 48(d)(1)(B), where a cross-petition for a writ of
26 certiorari is filed, stating the filing date of the petition for a writ of certiorari in
27 connection with which the cross-petition is filed; and

28 (a)(6)(D) the statutory provision believed to confer jurisdiction on the Supreme Court.

29 (a)(7) Controlling provisions of constitutions, statutes, ordinances, and regulations set
30 forth verbatim with the appropriate citation. If the controlling provisions involved are

31 lengthy, their citation alone will suffice and their pertinent text shall be set forth in the
32 appendix referred to in subparagraph (10) of this paragraph.

33 (a)(8) A statement of the case. The statement shall first indicate briefly the nature of the
34 case, the course of the proceedings, and its disposition in the lower courts. There shall follow
35 a statement of the facts relevant to the issues presented for review. All statements of fact and
36 references to the proceedings below shall be supported by citations to the record on appeal or
37 to the opinion of the Court of Appeals.

38 (a)(9) With respect to each question presented, a direct and concise argument explaining
39 the special and important reasons as provided in Rule 46 for the issuance of the writ.

40 (a)(10) An appendix containing, in the following order:

41 (a)(10)(A) copies of all opinions, including concurring and dissenting opinions, and
42 all orders, including any order on rehearing, delivered by the Court of Appeals in
43 rendering the decision sought to be reviewed;

44 (a)(10)(B) copies of any other opinions, findings of fact, conclusions of law, orders,
45 judgments, or decrees that were rendered in the case or in companion cases by the Court
46 of Appeals and by other courts or by administrative agencies and that are relevant to the
47 questions presented. Each document shall include the caption showing the name of the
48 issuing court or agency, the title and number of the case, and the date of its entry; and

49 (a)(10)(C) any other judicial or administrative opinions or orders that are relevant to
50 the questions presented but were not entered in the case that is the subject of the petition.

51 If the material that is required by subparagraphs (7) and (10) of this paragraph is
52 voluminous, they may be separately presented.

53 (b) **Form of petition.** The petition for a writ of certiorari shall comply with the form of a
54 brief as specified in Rule 27.

55 (c) **No separate brief.** All contentions in support of a petition for a writ of certiorari shall be
56 set forth in the body of the petition, as provided in subparagraph (a)(9) of this rule. The petitioner
57 shall not file a separate brief in support of a petition for a writ of certiorari. If the petition is
58 granted, the petitioner will be notified of the date on which the brief in support of the merits of
59 the case is due.

60 (d) **Page limitation.** The petition for a writ of certiorari shall be as short as possible, but may
61 not exceed 20 pages, excluding the subject index, the table of authorities, any verbatim
62 quotations required by subparagraph (a)(7) of this rule, and the appendix.

63 (e) **Absence of accuracy, brevity, and clarity.** The failure of a petitioner to present with
64 accuracy, brevity, and clarity whatever is essential to a ready and adequate understanding of the
65 points requiring consideration will be a sufficient reason for denying the petition.