

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

2 **(a) Petition for rehearing permitted.** A rehearing will not be granted in the absence of a petition for
3 rehearing. A petition for rehearing may be filed only in cases in which the court has issued an opinion,
4 memorandum decision, or per curiam decision. ~~No other petitions for rehearing will be considered.~~

5 **(b) Time for filing.** A petition for rehearing ~~may~~must be filed ~~with the clerk~~ within 14 days after
6 issuance of the opinion, memorandum decision, or per curiam decision ~~of the court~~, unless ~~the time is~~
7 ~~shortened or enlarged by otherwise ordered.~~

8 **(c) Contents of petition.** ~~The petition must comply with Rule 27 and must include a copy of the~~
9 ~~opinion, memorandum decision, or per curiam decision to which it is directed.~~ The petition ~~shall~~must
10 state with particularity the points of law or fact ~~which that~~ the petitioner claims the court has overlooked or
11 ~~misapprehended~~misunderstood and ~~shall~~must contain ~~such~~ argument in support of the petition ~~as the~~
12 ~~petitioner desires.~~ ~~Counsel for petitioner must certify that the~~ The petition must include a certification that
13 it is presented filed in good faith and not for delay.

14 **(d) Oral argument.** ~~Oral argument in support of the petition will not be permitted.~~

15 **(e)-(d) Response.** No response to a petition for rehearing ~~will be received~~ is permitted unless
16 requested by the court. Any response ~~shall~~must be filed within 14 days after the entry of the order
17 requesting the response, unless otherwise ordered ~~by the court~~. A petition for rehearing will not be
18 granted in the absence of a request for a response.

19 **(f) Form of petition.** ~~The petition shall be in a form prescribed by Rule 27 and shall include a copy of~~
20 ~~the decision to which it is directed.~~

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

23 **(h)-(e) Length.** ~~Except by order of the court, a~~ A petition for rehearing and any response requested
24 ~~by the court shall~~ may not exceed 15 pages unless otherwise ordered.

25 **(i) Color of cover.** ~~The cover of a petition for rehearing shall be tan; that of any response to a petition~~
26 ~~for rehearing filed by a party, white; and that of any response filed by an amicus curiae, green. All brief~~
27 ~~covers shall be of heavy cover stock. There shall be adequate contrast between the printing and the color~~
28 ~~of the cover.~~

29 **(j)-(f) Action by court if granted.** ~~If a petition for rehearing is granted, the~~ The court may make a
30 final disposition of the cause without reargument, or may restore it to the calendar for reargument or
31 resubmission, or may make ~~such other~~ appropriate orders ~~as are deemed appropriate under the~~
32 ~~circumstances of the particular case.~~

33 **(k) Untimely or consecutive petitions.** ~~Petitions for rehearing that are not timely presented under~~
34 ~~this rule and consecutive petitions for rehearing will not be received by the clerk.~~

35 **(l)-(g) Amicus curiae.** An amicus curiae may not file a petition for rehearing but may file a response
36 to a petition if the court has requested a response ~~under paragraph (e) of this rule.~~

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