

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1823

Amending Appellate Rule 303
concerning the time to file or
respond to a petition and the
availability of extensions.

IT IS ORDERED:

Appellate Rule 303 is amended to read as follows:

Rule 303. Procedure on Petition for Hearing.

(a) Filing.

(1) A petition for hearing must be filed within 30 days after the date of notice of the opinion, order, or memorandum opinion and judgment of the intermediate appellate court. Date of notice is defined in Civil Rule 58.1(c) and Criminal Rule 32.3(c). The original of the petition shall be filed, together with nine complete copies, a completed docketing statement in the form prescribed by these rules, and proof of service on all parties to the proceeding in the intermediate appellate court.

(2) If a timely petition for rehearing is filed in the intermediate appellate court the full 30-day period for filing a petition for hearing begins to run upon the date of notice of the final order of the intermediate appellate court resolving the matter on rehearing. Date of notice is defined in Civil Rule 58.1(c) and Criminal Rule 32.3(c). Any petition for hearing filed prior to that time will not be entertained.

(3) *Cross-Petitions.* When a petition is filed any other party may file and serve a cross-petition for hearing within 30 days after service of the petition. Otherwise, the provisions of this rule

referring to petitions for hearing also apply to cross-petitions for hearing.

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(c) **Response.** Within 30 days after service, all other parties to the proceeding in the intermediate appellate court shall file either an original and nine copies of a response, together with proof of service on all parties to the proceeding in the intermediate appellate court, or a notice that no response will be filed. The response shall not exceed fifteen pages in length. Motions to dismiss a petition for hearing will not be received; all objections to exercise of the discretionary power shall be contained in the response. The party filing a petition for hearing may not file a reply to the response without leave of the court of discretionary review. Consideration of the petition for hearing will not be delayed on account of the filing of a motion for leave to file a reply. Oral argument will not be held on the question whether a petition for hearing should be granted.

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(d) **Extensions of Time.** The time periods in this rule may be extended for up to 15 days by filing a notice. Motions for extensions beyond 15 days will be considered only in extraordinary circumstances.

DATED: April 2, 2014

EFFECTIVE DATE: October 15, 2014

/s/
Chief Justice Fabe

/s/
Justice Winfree

/s/
Justice Stowers

/s/
Justice Maassen

/s/
Justice Bolger