

**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 ~~45~~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 ~~45~~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 ~~fifteen~~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.

\* \* \* \*

(c) **Response.** Within ~~45~~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.

\* \* \* \*

(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.~~only by the court of discretionary review or a justice or judge thereof. They may not be extended by the intermediate appellate court or a judge thereof. Motions for extension of time may be determined by the clerk in the circumstances permitted by Rule 503(e). Motions for extensions of time shall comply with Rule 503.~~

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