

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1718

Amending Appellate Rule 303(c),
403(c), and 404(c) concerning
Notice of No Response.

IT IS ORDERED:

Appellate Rules 303(c), 403(c), and 404(c) are amended to read as follows:

Rule 303. Procedure on Petition for Hearing.

* * * *

(c) **Response.** Within 15 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.

* * * *

Rule 403. Petitions for Review — Procedure.

* * * *

(c) **Response.** Within ten days after service of the petition or cross-petition, each respondent shall file either an original and six copies of a response, together with proof of service on all parties to the trial court action when the order or decision was entered, or a notice that no response will be filed. The response shall not exceed 15 pages in length, exclusive of appendices. No reply may be filed by the petitioner unless ordered by the court. A motion to dismiss the petition will not be received. Objections to the exercise of the court's power of discretionary review must be included in the response.

* * * *

Rule 404. Original Applications.

* * * *

(c) **Response.** Within ten days after service of the application, each respondent shall serve and file either an original and five legible copies of the response, or a notice that no response will be filed. The court or a judge or justice thereof may, for good cause shown, extend the time for filing. If the application seeks the issuance of a writ of habeas corpus, response shall be made in accordance with Civil Rule 86(g). When the response is filed, it shall be accompanied by proof of service. Replies and supplemental memoranda will not be received unless ordered by the court. A motion to dismiss the application will not be received. Objections to the exercise of the discretionary power of the court must be included in the response.

* * * *

DATED: August 27, 2009

EFFECTIVE DATE: April 15, 2010

/s/
Chief Justice Carpeneti

/s/
Justice Eastaugh

/s/
Justice Fabe

/s/
Justice Winfree

/s/
Justice Christen