

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 996

Amending Appellate Rule
403(a)(1) concerning tolling the
time for filing a petition for
review when a motion for
reconsideration is filed.

IT IS ORDERED:

Appellate Rule 403(a)(1) is amended to provide:

(1) Petitions.

[A] A petition for review may be instituted by filing an original petition and five legible copies with the clerk of the appellate courts within 10 days after the date of notice, as defined in Civil Rule 58.1(c) and Criminal Rule 32.3(c), of the order or decision of which review is sought, along with proof of service on all parties to the action in the trial court. The court may require that additional copies be furnished. An appellate judge or justice, for good cause shown, may extend the time for filing. The party seeking review shall be known as the petitioner. All other parties to the proceeding shall be named as respondents. A notice of review need not be filed with the trial court.

[B] The running of the time for filing a petition for review is terminated by a timely motion for reconsideration in the trial court. The full time for a petition for review by any party begins to run again on the date of notice, as defined in Civil Rule 58.1(c) and

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Criminal Rule 32.3(c), or the date of denial of
the motion pursuant to Civil Rule 77(m)(4),
whichever is earlier.

DATED: July 20, 1989

EFFECTIVE DATE: January 15, 1990

Chief Justice Matthews

Justice Rabinowitz

Justice Burke

Justice Compton

Justice Moore