

Rule 48. Time for petitioning.

Rule printed on January 6, 2026 at 9:46 am. Go to <https://www.utcourts.gov/rules> for current rules.

Effective:

5/1/2024

(a) **Timeliness of petition.** A petition for a writ of certiorari must be filed with the Supreme Court clerk within 30 days after the Court of Appeals' final decision is issued, and not from the date the remittitur is issued. Pursuant to Rule 21, the filing fee must be paid to the appellate court clerk, unless waived by the court.

(b) **Rejection of petition.** The clerk will reject any petition for a writ of certiorari not timely filed.

(c) **Effect of petition for rehearing.** If a petition for rehearing that complies with Rule 35(a) is timely filed by any party, the time for filing the petition for a writ of certiorari for all parties runs from the date the petition for rehearing is denied or a subsequent decision on the rehearing is issued. A request filed under Rule 35(b) does not affect the time for filing a petition for a writ of certiorari, unless the Court of Appeals treats the request as a petition for rehearing under Rule 35(a).

(d) **Time for cross-petition.**

(1) A cross-petition for a writ of certiorari must be filed:

- (A) within the time provided in either paragraphs (a) or (c) of this rule; or
- (B) within 30 days of the filing of the petition for a writ of certiorari.

(2) Any cross-petition that is timely only under paragraph (d)(1)(B) will not be granted unless a timely petition for a writ of certiorari of another party to the case is granted.

(3) Pursuant to Rule 21, the filing fee must be paid to the appellate court clerk, unless waived by the court.

(4) A cross-petition for a writ of certiorari may not be joined with any other filing. The clerk will reject any filing so joined.

(e) **Time extensions.**

(1) Before the time prescribed by paragraph (a) or (c) expires, the Supreme Court will grant a party's request to extend the time for filing a petition or cross-petition, not to exceed 30 days past the prescribed time.

(2) Within 30 days after the time prescribed by paragraph (a) or (c) expires, a party may file a motion to extend the time for filing a petition or cross-petition. The Supreme Court will grant the motion only upon a showing of good cause or excusable neglect. No extension may exceed 30 days past the prescribed time or 14 days from the date the order granting the motion is entered, whichever occurs later, and no more than one extension will be granted. The Supreme Court may rule at any time after the motion is filed.