

Supreme Court of the United States

TIME FRAMES / FLOW CHART

DOCUMENT	TIME FRAME	SUPREME COURT RULE
Petition for Writ of Certiorari	w/in 90 days after entry of the judgment (NOT entry of the mandate).	Rule 13.1
Cross-Petition for Writ of Certiorari	Same as for Cert Petition, or file as a conditional (i.e., untimely) cross petition	Rule 12.5
<u>Conditional</u> Cross-Petition	w/in 30 days after case placed on docket.	Rule 12.5; see also Rule 13.4
Position in Support of Petition [filed by Respondent]	w/in 20 days after case placed on docket.	Rule 12.6
Request for Extension of Time to File Petition for Writ of Certiorari	Not favored by the court; can extend no more than 60 days; must be filed at least 10 days before Petition is due	Rule 13.5
Brief in Opposition to Petition for Writ of Certiorari	w/in 30 days after case is placed on docket [not mandatory to file one except in capital case]	Rule 15.3
Petitioner's Reply Brief [to Brief in Opposition]	[no time frame, but need to submit before court reviews for decision]	Rule 15.6; Rule 29
Supplemental Brief	as needed; restricted to new matter.	Rule 15.7
IF CERT IS DENIED		Rule 16.3
Petition for Rehearing	w/in 25 days after date of the order of denial	Rule 44.2
AFTER CERT HAS BEEN GRANTED		
Petitioner's Brief on the Merits	w/in 45 days from entry of the order granting cert	Rule 25.1
Respondent's Brief on the Merits	w/in 35 days after filing of Petitioner's Brief on the Merits	25.2
Petitioner's Reply Brief	w/in 35 days after filing of Respondent's Brief on the Merits (but court must receive not less than 1 wk before oral argument)	25.3
Supplemental Brief	as needed for new matter	25.5
Petition for Rehearing	w/in 25 days of court decision/judgment	Rule 44.1
JOINT APPENDIX: CERTS & APPEALS	w/in 45 days of entry of order granting cert or noting probable jurisdiction	Rule 26
[Appellant's/Petitioner's] Designation of Record [served on Respondent]	w/in 10 days of entry of order granting cert or noting probable jurisdiction	26.1
[Respondent's/Appellee's] Designation of Record	w/in 10 days of receiving the Designation	26.1

APPEALS FROM U.S. DISTRICT COURT AUTHORIZED BY LAW		
Notice of Appeal filed in Dist. Court	w/in time provided by law after entry of judgment – CANNOT BE EXTENDED	Rule 18.1
Appellant's Jurisdictional Statement filed in US Sup. Ct	w/in 60 days of filing Notice of Appeal in Dist. Court.	18.3
Case placed on Docket; appellant notifies all appellees	Promptly	18.3
Joint Appendix	[see p. 1 above]	Rule 26
Appellee's Conditional Cross Appeal [optional]	w/in 30 days after case placed on docket	18.4
Court considers documents filed.....	Entry of order that: disposes of case summarily; notes probable jurisdiction; or postpone consideration of jurisdiction until hearing of the case on the merits.	18.11
Appellant's Brief on the Merits	w/in 45 days from entry of the order noting probable jurisdiction [or postponing consideration of jurisdiction]	Rule 25.1
Appellee's Brief on the Merits	w/in 35 days of filing of Appellant's Brief	25.2
Reply Brief	w/in 35 days of filing of Appellee's Brief	25.3
Supplemental Brief	as needed for new matter	25.5
STAYS	Must first request relief in appropriate court below or from a judge therefore.	Rules 22 & 23
AMICUS BRIEFS	need written consent of all parties or leave of court	Rule 37
Amicus Curiae Brief	If submitted before Court's consideration of a Cert Petition => file w/in time allowed for filing a brief in opposition of for filing a motion to dismiss or affirm.	37.2
	If submitted in a case before the Court => within the time allowed for filing the brief for the party supported.	37.3
REHEARING	w/in 25 days of court decision/judgment	Rule 44.1
Of any judgment or decision of the Court on the merits	w/in 25 days after entry of the judgment or decision, unless court or a Justice shortens or extends the time.	44.1
MANDATES		Rule 45
In case on review from a state court	25 days after entry of the judgment, unless the court or a judge shortens or extends, or the parties stipulate that it issue sooner	45.2
If petition for rehearing has been filed:	Mandate stayed until disposition	45.2
In case on review from court of the U.S.	A formal mandate does not issue unless specially directed; instead, Clerk sends lower court a certified copy of judgment.	45.3