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> **Rule 25. Briefs on the Merits: Number of Copies and Time to File**

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- 1. The petitioner or appellant shall file 40 copies of the brief on the merits within 45 days of the order granting the writ of certiorari, noting probable jurisdiction, or postponing consideration of jurisdiction. Any respondent or appellee who supports the petitioner or appellant shall meet the petitioner's or appellant's time schedule for filing documents.
- 2. The respondent or appellee shall file 40 copies of the brief on the merits within 30 days after the brief for the petitioner or appellant is filed.
- 3. The petitioner or appellant shall file 40 copies of the reply brief, if any, within 30 days after the brief for the respondent or appellee is filed, but any reply brief must actually be received by the Clerk not later than 2pm 10 days before the date of oral argument. Any respondent or appellee supporting the petitioner or appellant may file a reply brief.
- 4. If cross-petitions or cross-appeals have been consolidated for argument, the Clerk, upon request of the parties, may designate one of the parties to file an initial brief and reply brief as provided in paragraphs 1 and 3 of this Rule (as if the party were petitioner or appellant), and may designate the other party to file an initial brief as provided in paragraph 2 of this Rule and, to the extent appropriate, a supplemental brief following the submission of the reply brief. In such a case, the Clerk may establish the time for the submission of the briefs and alter the otherwise applicable word limits. Except as approved by the Court or a Justice, the total number of words permitted for the briefs of the parties cumulatively shall not exceed the maximum that would have been allowed in the absence of an order under this paragraph.
- 5. The time periods stated in paragraphs 1, 2, and 3 of this Rule may be extended as provided in [Rule 30](#) . An application to extend the time to file a brief on the merits is not

avored. If a case is advanced for hearing, the time to file briefs on the merits may be abridged as circumstances require pursuant to an order of the Court on its own motion or that of a party.

- 6. A party wishing to present late authorities, newly enacted legislation, or other intervening matter that was not available in time to be included in a brief may file 40 copies of a supplemental brief, restricted to such new matter and otherwise presented in conformity with these Rules, up to the time the case is called for oral argument or by leave of the Court thereafter.
- 7. After a case has been argued or submitted, the Clerk will not file any brief, except that of a party filed by leave of the Court.
- 8. The Clerk will not file any brief that is not accompanied by proof of service as required by [Rule 29](#).

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