

REVISIONS TO RULES
OF THE
SUPREME COURT OF THE UNITED STATES

ADOPTED MARCH 14, 2005

EFFECTIVE MAY 2, 2005

The Clerk's Comments that accompany the revisions to the Rules are not part of the Rules. They are furnished solely to assist readers in understanding the revisions.

Current Rule 13.3

The time to file a petition for a writ of certiorari runs from the date of entry of the judgment or order sought to be reviewed, and not from the issuance date of the mandate (or its equivalent under local practice). But if a petition for rehearing is timely filed in the lower court by any party, the time to file the petition for a writ of certiorari for all parties (whether or not they requested rehearing or joined in the petition for rehearing) runs from the date of the denial of the petition for rehearing or, if the petition for rehearing is granted, the subsequent entry of judgment.

Revised Rule 13.3

The time to file a petition for a writ of certiorari runs from the date of entry of the judgment or order sought to be reviewed, and not from the issuance date of the mandate (or its equivalent under local practice). But if a petition for rehearing is timely filed in the lower court by any party, **or if the lower court appropriately entertains an untimely petition for rehearing or sua sponte considers rehearing**, the time to file the petition for a writ of certiorari for all parties (whether or not they requested rehearing or joined in the petition for rehearing) runs from the date of the denial of rehearing or, if rehearing is granted, the subsequent entry of judgment.

[CLERK'S COMMENT: THE PROPOSED RULE COMPORTS WITH THE COURT'S OPINION IN *HIBBS V. WINN*, 542 U. S. ___ (2004).]

Current Rule 47

The term "state court," when used in these Rules, includes the District of Columbia Court of Appeals and the Supreme Court of the Commonwealth of Puerto Rico. See 28 U.S.C. §§ 1257 and 1258. References in these Rules to

the common law and statutes of a State include the common law and statutes of the District of Columbia and of the Commonwealth of Puerto Rico.

Revised Rule 47

The term “state court,” when used in these Rules, includes the District of Columbia Court of Appeals, the Supreme Court of the Commonwealth of Puerto Rico, **the courts of the Northern Mariana Islands, and the local courts of Guam.** References in these Rules to the statutes of a State include the statutes of the District of Columbia, the Commonwealth of Puerto Rico, **the Commonwealth of the Northern Mariana Islands, and the Territory of Guam.**

[CLERK’S COMMENT: FEDERAL LAW CHANGES HAVE ALTERED THE RELATIONSHIP BETWEEN THE SUPREME COURT OF THE UNITED STATES AND THE COURTS OF GUAM AND THE NORTHERN MARIANA ISLANDS. THE SUPREME COURT OF THE UNITED STATES NOW EXERCISES CERTIORARI JURISDICTION OVER THE COURTS OF GUAM AND THE NORTHERN MARIANA ISLANDS. MINOR EDITORIAL CHANGES WERE ALSO MADE TO THE RULE.]