

**Rule 140. Petition for Rehearing in Supreme Court****140.01 Petition for Rehearing**

No petition for rehearing shall be allowed in the Court of Appeals.

A petition for rehearing in the Supreme Court may be filed within 14 days after the filing of the decision or order unless the time is enlarged by order of the Supreme Court within the 14-day period. The petition shall set forth with particularity:

(a) any controlling statute, decision or principle of law; or

(b) any material fact; or

(c) any material question in the case which, in the opinion of the petitioner, the Supreme Court has overlooked, failed to consider, misapplied or misconceived.

No petition for reconsideration or rehearing of a denial of a petition for review provided by Rule 117, or of a petition for accelerated review provided by Rule 118, shall be allowed in the Supreme Court.

(Amended effective for appeals taken on or after January 1, 1992; amended effective January 1, 2020.)

***Comment - 1983***

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**140.02 Service; Filing**

The petition shall be served upon the opposing party who may answer within 7 days after service. Oral argument in support of the petition will not be permitted. The petition, in the format required by Rule 132.01, shall be filed with the clerk. A filing fee of \$100 shall accompany the petition for rehearing.

(Amended effective July 1, 2014; amended effective January 1, 2020.)

***Advisory Committee Comment - 2014 Amendments***

*As part of the implementation of electronic filing in the appellate courts, the courts have reviewed the number of documents needed by the courts. Under the revised rule only a single copy is required, whether the document is filed electronically or by other means authorized by the rules.*

**140.03 Stay of Judgment**

The filing of a petition for rehearing shall stay the entry of judgment until disposition of the petition. It does not stay the taxation of costs. If the petition is denied, the party responding to the petition may be awarded attorney fees to be allowed by the court in the amount not to exceed \$500.