

Instructions: Motion for Rehearing

After a Petition for Review is denied, the next step in the appeals process is to file an optional Motion for Rehearing. According to Texas Rule of Appellate Procedure 64.1, A motion for rehearing may be filed with the Supreme Court clerk within **15 days** from the date when the Court makes an order denying your petition for review. If you need additional time to file your Motion for Rehearing, you may file a Motion for Extension of Time requesting an extension of the deadline to file your Motion for Rehearing. The Motion for Extension of Time may be filed up to 15 days past the deadline for filing the Motion for Rehearing itself.

A motion for Rehearing should comply with Texas Rule of Appellate Procedure 10.1(a) and should (1) contain any matter specifically required by a rule governing such a motion; (2) state the grounds on which it is based; (3) set forth the order or relief sought; (4) be filed with any brief, affidavit, or other paper filed in support of the motion. A Motion for Rehearing can be, at most, **4,500 words** if typed or 15 pages if handwritten, per T.R.A.P. 9.4(i)(2)(D). A Motion for Rehearing should also be filed with the associated \$15 fee unless you are exempt from paying fees.

A Motion for Rehearing is a chance to explain why the Supreme Court should reconsider your Petition for Review. Motions for Rehearing generally include arguments as to why your Petition for Review should be reconsidered or may discuss arguments or issues you believe the Court overlooked. Other than the requirements listed above, there are no specific requirements for the contents of the Motion for Rehearing.

The Supreme Court of Texas has discretionary jurisdiction, which means the Court can choose which cases to grant or deny. When the Court denies a Petition for Review, there is no reason given for the denial and no opinion is written. Because of this, the Supreme Court Clerk's Office does not have any information regarding the reason your Petition for Review was denied. The Clerk's Office also cannot answer questions about what to specifically include in your legal arguments or how likely it is for the motion to be granted. If you have other questions about these filings, feel free to call the Supreme Court Clerk's Office at 512-463-1312.