

**RULES 809.30 & .32 OF THE WISCONSIN STATUTES
AS AFFECTED BY SUPREME COURT ORDERS
2001 WI 39 & 2002 WI 120
(UNOFFICIAL VERSION, AS OF 5/21/03)[?]**

Wisconsin Statutes (1999-2000)	Text As Amended by Orders
<p>SUBCHAPTER III</p> <p>FELONY APPEAL PROCEDURE IN COURT OF APPEALS</p>	<p>SUBCHAPTER III</p> <p>APPEAL PROCEDURE IN COURT OF APPEALS IN CRIMINAL AND CH. 48, 51, 55, AND 938 CASES</p>
<p>809.30 Rule (Appeals in felony cases).</p> <p>(1) DEFINITIONS. In this section:</p> <p>(a) "Postconviction relief" means, in a felony or misdemeanor case, an appeal or a motion for postconviction relief other than a motion under s. 973.19 or 974.06. In a ch. 48, 51, 55 or 938 case, other than a termination of parental rights case under s. 48.43, it means an appeal or a motion for reconsideration by the trial court of its final judgment or order; in such cases a notice of intent to pursue such relief or a motion for such relief need not be styled as seeking "postconviction" relief.</p> <p>(b) "Sentencing" means, in a felony or misdemeanor case, the imposition of a sentence, fine or probation. In a ch. 48, 51, 55 or 938 case, other than a termination of parental rights case under s. 48.43, it means the entry of the trial court's final judgment or order.</p>	<p>809.30 Rule (Appeals in criminal, ch. 48, 51, 55, and 938 cases).</p> <p>(1) DEFINITIONS. In this section:</p> <p>(a) "Final adjudication" means the entry of a final judgment or order by the circuit court in a ch. 48, 51, 55, or 938 case, other than a termination of parental rights case under s. 48.43 or a parental consent to abortion case under s. 48.375 (7).</p> <p>b) "Person" means any of the following:</p> <ol style="list-style-type: none"> 1. A defendant seeking postconviction relief in a criminal case. 2. A party, other than the state, seeking postdisposition relief in a case under ch. 48, other than a termination of parental rights case under s. 48.43 or a parental consent to abortion case under s. 48.375 (7). 3. A party, other than the state, seeking postdisposition relief in a case under ch. 938. 4. A subject individual or ward seeking postdisposition relief in a case under ch. 51 or 55. 5. Any other person who may appeal under ss. 51.13 (5), 51.20 (15) or 55.06 (18). <p>(c) "Postconviction relief" means an appeal or a motion for postconviction relief in a criminal case, other than an appeal, motion or petition under ss. 302.113 (7m), 302.113 (9g), 973.19, 973.195, 974.06 or 974.07 (2).</p> <p>(d) "Postdisposition relief" means an appeal or a</p>

[?] This unofficial summary of changes ordered by Supreme Court Orders 2001 WI 39 (effective July 1, 2001) and 2002 WI 120 (effective January 1, 2003) is intended only to be a quick reference for practitioners. Changes ordered at 2002 WI 120 are shaded in the right-hand column. Practitioners always should consult the texts of the official statutes and rules before relying on statutory requirements set forth herein.

<p>(2) APPEAL OR POSTCONVICTION MOTION BY DEFENDANT.</p> <p>(a) A defendant seeking postconviction relief in a felony case shall comply with this section. Counsel representing the defendant at sentencing shall continue representation by filing a notice under par. (b) if the defendant desires to pursue postconviction relief unless sooner discharged by the defendant or by the trial court.</p> <p>(b) Within 20 days of the date of sentencing, the defendant shall file in the trial court and serve on the district attorney a notice of intent to pursue postconviction relief. The notice shall include the following:</p> <ol style="list-style-type: none"> 1. The case name and court caption. 2. An identification of the judgment or order from which the defendant intends to seek postconviction relief and the date it was granted or entered. 3. The name and address of the defendant and the defendant's trial counsel. 4. Whether defendant's trial counsel was appointed by the state public defender and if so, whether the defendant's financial circumstances have materially improved since the date the defendant's indigency was determined. 5. Whether the defendant requests the state public 	<p>motion for postdisposition relief from a circuit court's final adjudication.</p> <p>(e) "Prosecutor" means a district attorney, corporation counsel, or other attorney authorized by law to prosecute a criminal case or a case under ch. 48, 51, 55, or 938.</p> <p>(f) "Sentencing" means the imposition of a sentence, a fine, or probation in a criminal case.</p> <p>(2) APPEAL; POSTCONVICTION OR POSTDISPOSITION MOTION.</p> <p>(a) <i>Appeal procedure; counsel to continue.</i> A person seeking postconviction relief in a criminal case; a person seeking postdisposition relief in a case under ch. 48 other than a termination of parental rights case under s. 48.43 or a parental consent to abortion case under s. 48.375 (7); or a person seeking postdisposition relief in a case under ch. 51, 55, or 938 shall comply with this section. Counsel representing the person at sentencing or at the time of the final adjudication shall continue representation by filing a notice under par. (b) if the person desires to pursue postconviction or postdisposition relief unless counsel is discharged by the person or allowed to withdraw by the circuit court before the notice must be filed.</p> <p>(b) <i>Notice of intent to pursue postconviction or postdisposition relief.</i> Within 20 days after the date of sentencing or final adjudication, the person shall file in circuit court and serve on the prosecutor and any other party a notice of intent to pursue postconviction or postdisposition relief. The notice shall include all of the following:</p> <ol style="list-style-type: none"> 1. The case name and number. 2. An identification of the judgment or order from which the person intends to seek postconviction or postdisposition relief and the date on which the judgment or order was entered. 3. The name and address of the person and his or her trial counsel. 4. Whether the person's trial counsel was appointed by the state public defender and if so, whether the person's financial circumstances have materially improved since the date on which his or her indigency was determined. 5. Whether the person requests the state public
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defender to appoint counsel for purposes of postconviction relief.

6. Whether a defendant who does not request the state public defender to appoint counsel will represent himself or herself or will be represented by retained counsel. If the defendant has retained counsel, counsel's name and address shall be included.

(c) Within 5 days after a notice under par. (b) is filed, the clerk shall:

1. If the defendant requests representation by the state public defender for purposes of postconviction relief, send to the state public defender's appellate intake office a copy of the notice, a copy of the judgment or order specified in the notice, a list of the court reporters for each proceeding in the action in which the judgment or order was entered and a list of those proceedings in which transcript has been filed in the court record at the request of trial counsel.

2. If the defendant does not request representation by the state public defender, send or furnish to the defendant, if the defendant appearing without counsel, or to the defendant's attorney if one has been retained, a copy of the judgment or order specified in the notice, a list of the court reporters for each proceeding in the action in which the judgment or order was entered and a list of those proceedings in which a transcript has been filed in the court record at the request of trial counsel.

(d) Except as provided in this paragraph, whenever a defendant whose trial counsel is appointed by the state public defender files a notice under par. (b) requesting public defender representation for purposes of postconviction relief, the district attorney may, within 5 days after the notice is served and filed, file in the trial court and serve upon the state public defender a request that the defendant's indigency be redetermined before counsel is appointed or transcripts are ordered. This paragraph does not apply to a child who is entitled to be represented by counsel under 48.23 or 938.23.

defender to appoint counsel for purposes of postconviction or postdisposition relief.

6. Whether a person who does not request the state public defender to appoint counsel will represent himself or herself or will be represented by retained counsel. If the person has retained counsel to pursue postconviction or postdisposition relief, counsel's name and address shall be included.

(c) *Clerk to send materials.* Within 5 days after a notice under par. (b) is filed, the clerk of circuit court shall:

1. If the person requests representation by the state public defender for purposes of postconviction or postdisposition relief, send to the state public defender's appellate intake office a copy of the notice that shows the date on which it was filed or entered, a copy of the judgment or order specified in the notice that shows the date on which it was filed or entered, a list of the court reporters for each proceeding in the action in which the judgment or order was entered, and a list of those proceedings in which a transcript has been filed with the clerk of circuit court.

2. If the person does not request representation by the state public defender, send or furnish to the person, if appearing without counsel, or to the person's attorney if one has been retained, a copy of the judgment or order specified in the notice that shows the date on which it was filed or entered, a list of the court reporters for each proceeding in the action in which the judgment or order was entered, and a list of those proceedings in which a transcript has been filed with the clerk of circuit court.

(d) *Indigency redetermination.* Except as provided in this paragraph, whenever a person whose trial counsel is appointed by the state public defender files a notice under par. (b) requesting public defender representation for purposes of postconviction or postdisposition relief, the prosecutor may, within 5 days after the notice is served and filed, file in the circuit court and serve upon the state public defender a request that the person's indigency be redetermined before counsel is appointed or transcripts are requested. This paragraph does not apply to a child or juvenile who is entitled to be represented by counsel under s. 48.23 or 938.23.

(e) Within 30 days after the filing of a notice under par. (b) requesting representation by the state public defender for purposes of postconviction relief, the state public defender shall appoint counsel for the defendant and order a transcript of the reporter's notes, except that if the defendant's indigency must first be determined or redetermined, the state public defender shall do so, appoint counsel and order transcripts within 50 days after the notice under par. (b) is filed.

(f) A defendant who does not request representation by the state public defender for purposes of postconviction relief shall order a transcript of the reporter's notes within 30 days after filing notice under par. (b).

(fm) A child who has filed a notice of intent to pursue relief from a judgment or order entered in a ch. 48 or 938 proceeding shall be furnished at no cost a transcript of the proceedings or as much of it as is requested. To obtain the transcript at no cost, an affidavit must be filed stating that the person who is legally responsible for the child's care and support is financially unable or unwilling to purchase the transcript.

(g) The court reporter shall file the transcript with the trial court and serve a copy of the transcript on the defendant within 60 days of the ordering of the transcript. Within 20 days of the ordering of a transcript of postconviction proceedings brought under sub. (2) (h), the court reporter shall file the original with the trial court and serve a copy of that transcript on the defendant. The reporter may

(e) *State public defender appointment of counsel; transcript and circuit court case record request.*

Within 30 days after the state public defender appellate intake office receives the materials from the clerk of circuit court under par. (c), the state public defender shall appoint counsel for the person and request a transcript of the reporter's notes and a copy of the circuit court case record, except that if the person's indigency must first be determined or redetermined the state public defender shall do so, appoint counsel, and request transcripts and a copy of the circuit court case record within 50 days after the state public defender appellate intake office receives the material from the clerk of circuit court under par. (c).

(f) *Person not represented by public defender; transcript and circuit court case record request.* A person who does not request representation by the state public defender for purposes of postconviction or postdisposition relief shall request a transcript of the reporter's notes, and may request a copy of the circuit court case record, within 30 days after filing a notice under par. (b). A person who is denied representation by the state public defender for purposes of postconviction or postdisposition relief shall request a transcript of the reporter's notes, and may request a copy of the circuit court case record, within 90 days after filing a notice under par. (b).

(fm) *Transcript and circuit court case record request in chs. 48 and 938 proceedings.* A child or juvenile who has filed a notice of intent to pursue relief from a judgment or order entered in a ch. 48 or 938 proceeding shall be furnished at no cost a transcript of the proceedings or as much of the transcript as is requested, and may request a copy of the circuit court case record. To obtain the transcript and circuit court case record at no cost, an affidavit must be filed stating that the person who is legally responsible for the child's or juvenile's care and support is financially unable or unwilling to purchase the transcript and a copy of the circuit court case record.

(g) *Filing and service of transcript and circuit court case record.*

1. The clerk of circuit court shall serve a copy of the circuit court case record on the person within 60 days after receipt of the request for the circuit court case record.

2. The court reporter shall file the transcript with

<p>seek an extension under s. 809.16 (4) for filing and serving the transcript.</p> <p>(h) The defendant shall file a notice of appeal or motion seeking postconviction relief within 60 days of the service of the transcript.</p> <p>(i) The trial court shall determine by an order the defendant's motion for postconviction relief within 60 days of its filing or the motion is considered to be denied and the clerk of the trial court shall immediately enter an order denying the motion.</p> <p>(j) The defendant shall file an appeal from the judgment of conviction and sentence and, if necessary, from the order of the trial court on the motion for postconviction relief within 20 days of the entry of the order on the postconviction motion.</p> <p>(k) The clerk of the trial court shall transmit the</p>	<p>the circuit court and serve a copy of the transcript on the person within 60 days of the request for the transcript. Within 20 days after the request for a transcript of postconviction or postdisposition proceedings brought under sub. (2) (h), the court reporter shall file the original with the circuit court and serve a copy of that transcript on the person. The reporter may seek an extension under s. 809.11 (7) for filing and serving the transcript.</p> <p>(h) <i>Notice of appeal, postconviction or postdisposition motion.</i> The person shall file in circuit court and serve on the prosecutor and any other party a notice of appeal or motion seeking postconviction or postdisposition relief within 60 days after the later of the service of the transcript or circuit court case record. The person shall file a motion for postconviction or postdisposition relief before a notice of appeal is filed unless the grounds for seeking relief are sufficiency of the evidence or issues previously raised. A postconviction or postdisposition motion under this section may not be accompanied by a notice of motion and is made when filed. A notice of appeal filed under this section shall conform to the requirements set forth in s. 809.10.</p> <p>(i) <i>Order determining postconviction or postdisposition motion.</i> Unless an extension is requested by a party or the circuit court and granted by the court of appeals, the circuit court shall determine by an order the person's motion for postconviction or postdisposition relief within 60 days after the filing of the motion or the motion is considered to be denied and the clerk of circuit court shall immediately enter an order denying the motion.</p> <p>(j) <i>Appeal from judgment and order.</i> The person shall file in circuit court and serve on the prosecutor and any other party notice of appeal from the judgment of conviction and sentence or final adjudication and, if necessary, from the order of the circuit court on the motion for postconviction or postdisposition relief within 20 days of the entry of the order on the postconviction or postdisposition motion. A notice of appeal filed under this section shall conform to the requirements set forth in s. 809.10. Appeals in cases under ch. 48, 51, 55, and 938 are subject to the docketing statement requirements of s. 809.10 (1) (d) and may be eligible for the expedited appeals program in the discretion of the court.</p> <p>(k) <i>Transmittal of record.</i> Except as otherwise provided in ss. 809.14 (3) and 809.15 (4) (b) and</p>
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record to the court as soon as prepared but in no event more than 40 days after the filing of the notice of appeal by the defendant. Subsequent proceedings in the appeal are governed by the procedures for civil appeals.

(L) An appeal under s. 974.06 is governed by the procedures for civil appeals.

(3) APPEALS BY STATE OR OTHER PARTY.

In a felony case in which the state of Wisconsin, the representative of the public or any other party appeals and the defendant or subject individual is a child or claims or appears to be indigent, the court shall refer the person to the state public defender for the determination of indigency and the appointment of legal counsel under ch. 977.

(c), the clerk of circuit court shall transmit the record on appeal to the court of appeals as soon as prepared but in no event more than 40 days after the filing of the notice of appeal. Subsequent proceedings in the appeal are governed by the procedures for civil appeals.

(L) An appeal under s. 974.06 or 974.07 is governed by the procedures for civil appeals.

(3) APPEALS BY STATE OR OTHER PARTY;

APPOINTMENT OF COUNSEL. In a case in which the state of Wisconsin, the representative of the public, any other party, or any person who may appeal under ss. 51.13 (5), 51.20 (15) or 55.06 (18) appeals and the person who is the subject of the case or proceeding is a child or claims or appears to be indigent, the court shall refer the person who is the subject of the case or proceeding to the state public defender for the determination of indigency and the appointment of legal counsel under ch. 977.

(4) MOTION TO WITHDRAW AS APPOINTED COUNSEL.

(a) If postconviction, postdisposition, or appellate counsel appointed for the person under ch. 977 seeks to withdraw from the case, counsel shall serve a motion to withdraw upon the person and upon the appellate division intake unit in the Madison appellate office of the state public defender. If the motion is filed before the notice of appeal is filed, the motion shall be filed in circuit court. If the motion is filed after a notice of appeal has been filed, the motion shall be filed in the court of appeals. Service of the motion to withdraw on the state public defender is not required when the motion is filed by an assistant state public defender or when a no-merit report is filed with the motion.

(b) Within 20 days after receipt of the motion under par. (a), the state public defender shall determine whether successor counsel will be appointed for the person and shall notify the court in which the motion was filed of the state public defender's determination.

(c) Before determining the motion to withdraw, the court shall consider the state public defender's response under par. (b) and whether the person waives the right to counsel.

(d) When the motion to withdraw is filed in circuit court, appointed counsel shall prepare and serve a copy of the order determining counsel's

	<p>motion to withdraw upon the person and the appellate division intake unit in the Madison appellate office of the state public defender within 14 days after the court's determination.</p>
<p>809.32 Rule (No merit reports). (1) If an attorney appointed under s. 809.30 or ch. 977 is of the opinion that further appellate proceedings on behalf of the defendant would be frivolous and without any arguable merit within the meaning of <i>Anders v. California</i>, 386 U.S. 738 (1967), the attorney shall file with the court of appeals 3 copies of a brief in which is stated anything in the record that might arguably support the appeal and a discussion of why the issue lacks merit. The attorney shall serve a copy of the brief on the defendant and shall file a statement in the court of appeals that service has been made upon the defendant. The defendant may file a response to the brief within 30 days of service.</p>	<p>809.32 Rule (No merit reports). (1) NO-MERIT REPORT , RESPONSE, AND SUPPLEMENTAL NO-MERIT REPORT . (a) <i>No-merit report.</i> If an attorney appointed under s. 809.30(2) (e) or ch. 977 concludes that a direct appeal on behalf of the person would be frivolous and without any arguable merit within the meaning of <i>Anders v. California</i>, 386 U.S. 738 (1967), and the person requests that a no-merit report be filed or declines to consent to have the attorney close the file without further representation by the attorney, the attorney shall file with the court of appeals 3 copies of a no-merit report. The no-merit report shall identify anything in the record that might arguably support the appeal and discuss the reasons why each identified issue lacks merit.</p> <p>(b) <i>Counseling and notification.</i></p> <ol style="list-style-type: none"> 1. Prior to the filing of a no-merit report, the attorney shall discuss with the person all potential issues identified by the attorney and the person, and the merit of an appeal on these issues. The attorney shall inform the person that he or she has 3 options: <ol style="list-style-type: none"> a. To have the attorney file a no-merit report; b. To have the attorney close the file without an appeal; or c. To have the attorney close the file and to proceed without an attorney or with another attorney retained at the person's expense. 2. The attorney shall inform the person that a no-merit report will be filed if the person either requests a no-merit report or does not consent to have the attorney close the file without further representation by the attorney. The attorney shall inform the person that if a no-merit report is filed the attorney will serve a copy of the transcripts and the circuit court case record upon the person at the person's request. The attorney shall inform the person that, if the person chooses to proceed with an appeal or chooses to have the attorney close the file without an appeal, the attorney will forward the attorney's copies of the transcripts and circuit court case record to the person at the person's request. The attorney shall also inform the person that the person may file a response to the no-merit report and that the attorney may file a

supplemental no-merit report and affidavit or affidavits containing facts outside the record, possibly including confidential information, to rebut allegations made in the **person's** response to the no-merit report.

(c) *Certification by attorney.* The attorney shall append to the no-merit report a signed certification that the attorney has complied with the client-counseling and client-notification requirements of par. (b). The certification shall be in the following form:

CERTIFICATION BY ATTORNEY

I hereby certify that I have discussed with **my client** all potential issues identified by me and by **my client** and the merit of an appeal on these issues, and I have informed **my client** that **he/she** must choose one of the following 3 options: 1) to have me file a no-merit report; 2) to have me close the file without an appeal; or 3) to have me close the file and to proceed without an attorney or with another attorney retained at **my client's** expense. I have informed **my client** that a no-merit report will be filed if **he/she** either requests a no-merit report or does not consent to have me close the file without further representation. I have informed **my client** that the transcripts and circuit court case record will be forwarded at **his/her** request. I have also informed **my client** that **he/she** may file a response to the no-merit report and that I may file a supplemental no-merit report and affidavit or affidavits containing **matters** outside the record, possibly including confidential information, to rebut allegations made in **my client's** response to the no-merit report.

Signed: . . .

Signature: . . .

(d) *Service of copy of no-merit report, transcript, and circuit court case record.* The attorney shall serve a copy of the no-merit report on the **person** and shall file a statement in the court of appeals that service has been made upon the **person**. The attorney shall also serve upon the **person** a copy of the transcript and circuit court case record within **5** days after receipt of a request for the transcript and circuit court case record from the **person** and shall file a statement in the court of appeals that service has been made upon the **person**.

(e) *Response to no-merit report.* The **person** may file a response to the no-merit report within 30 days after service of the no-merit report. If the **person** files a response, the clerk shall, within 5

<p>(2) The attorney also shall file in the trial court a notice of appeal of the judgment of conviction and of any order denying a post-conviction motion. The clerk of the trial court shall transmit the record in the case to the court pursuant to s. 809.15. The no merit brief and notice of appeal must be filed within 180 days of the service upon the defendant of the transcript under s. 809.30 (2) (g).</p>	<p>days after the filing of the response, send a copy of the response to the attorney who filed the no-merit report.</p> <p>(f) <i>Supplemental no-merit report.</i> If the attorney is aware of facts outside the record that rebut allegations made in the person's response, the attorney may file, within 30 days after receipt of the person's response, a supplemental no-merit report and an affidavit or affidavits, including matters outside the record. The supplemental report and affidavit or affidavits shall be served on the person, and the attorney shall file a statement in the court of appeals that service has been made upon the person.</p> <p>(g) <i>Remand for fact-finding prior to decision.</i> If the person and the attorney allege disputed facts regarding matters outside the record, and if the court determines that the person's version of the facts, if true, would make resolution of the appeal under sub. (3) inappropriate, the court shall remand the case to the circuit court for an evidentiary hearing and fact-finding on those disputed facts before proceeding to a decision under sub. (3).</p> <p>(2) NOTICE OF APPEAL, STATEMENT ON TRANSCRIPT, SERVICE OF COPIES. The attorney also shall file in circuit court a notice of appeal of the judgment of conviction or final adjudication and of any order denying a postconviction or postdisposition motion. The notice of appeal shall be identified as a no-merit notice of appeal and shall state the date on which the no-merit report is due and whether the due date is calculated under par. (a) or (b). The clerk of circuit court shall transmit the record in the case to the court pursuant to s. 809.15. The attorney also shall file a statement on transcript complying with the requirements of s. 809.11(4), except that copies of the transcript need not be provided to other parties. All papers filed with the court under this subsection, except the transcript, shall be served on the state in accordance with s. 809.80 (2) (b) and on any other party. The no-merit report, notice of appeal, and statement on transcript must be filed within whichever of the following is later:</p> <p>(a) One hundred eighty days after the service upon the person of the transcript and circuit court case record requested under s. 809.30 (2) (e).</p> <p>(b) Sixty days after the entry of the order determining a postconviction or postdisposition</p>
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<p>(3) In the event the court of appeals finds that further appellate proceedings would be frivolous and without any arguable merit, the court of appeals shall affirm the judgment of conviction and the denial of any postconviction motion and relieve the attorney of further responsibility in the case. The attorney shall advise the defendant of the right to file a petition for review to the supreme court under s. 809.62.</p> <p>(4) If a fully briefed appeal is taken to the court of appeals and the attorney is of the opinion that a petition for review in the supreme court under s. 809.62 would be frivolous and without any arguable merit, the attorney shall advise the defendant of the reasons for this opinion and that the defendant has the right to file a petition for review. If requested by the defendant, the attorney shall file a petition satisfying the requirements of s. 809.62 (2) (d) and (f) and the defendant shall file a supplemental petition satisfying the requirements of s. 809.62 (2) (a), (b), (c) and (e). The petition and supplemental petition shall both be filed within 30 days of the date of the decision of the court of appeals. An opposing party may file a response to the petition and supplemental petition within 10 days of the service of the supplemental petition.</p>	<p>motion.</p> <p>(3) DECISION ON NO-MERIT REPORT . In the event that the court of appeals determines that further appellate proceedings would be frivolous and without any arguable merit, the court of appeals shall affirm the judgment of conviction or final adjudication and the denial of any postconviction or postdisposition motion and relieve the attorney of further responsibility in the case. The attorney shall advise the person of the right to file a petition for review to the supreme court under s. 809.62.</p> <p>(4) NO-MERIT PETITION FOR REVIEW. If a fully briefed appeal is taken to the court of appeals and the attorney is of the opinion that a petition for review in the supreme court under s. 809.62 would be frivolous and without any arguable merit, the attorney shall advise the person of the reasons for this opinion and that the person has the right to file a petition for review. If requested by the person, the attorney shall file a petition satisfying the requirements of s. 809.62 (2) (d) and (f) and the person shall file a supplemental petition satisfying the requirements of s. 809.62 (2) (a), (b), (c), and (e). The petition and supplemental petition shall both be filed within 30 days after the date of the decision or order of the court of appeals. An opposing party may file a response to the petition and supplemental petition within 14 days after the service of the supplemental petition.</p>
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