

**9800.0900 BRIEFS ON APPEAL.**

Subpart 1. **Filing of brief of appellant where a transcript is required.** Appellants and cross appellants shall file a written brief within 30 days after the court receives the transcript. The brief may address only issues raised in that party's notice of appeal. Issues raised in the notice of appeal but not addressed in the brief shall be deemed waived and will not be decided by the court.

Subp. 2. **Filing of brief of appellant where no transcript of proceedings is required.** Where no transcript of the proceedings is required, appellants and cross appellants shall file a written brief within 30 days after the filing of the notice of appeal. The brief may address only issues raised in that party's notice of appeal. Issues raised in the notice of appeal but not addressed in the brief shall be deemed waived and will not be decided by the court.

Subp. 3. **Filing of brief of respondent.** All respondents' briefs must be filed with the court within 25 days after the appellant's or cross appellant's brief is filed. The respondent's brief may address only issues raised in the brief of the appellant or cross appellant.

Subp. 4. [Repealed, 13 SR 981]

Subp. 5. **Reply briefs.** Reply briefs must be filed within ten days after the respondent's brief is filed. They may address only issues addressed in the respondent's brief.

Subp. 5a. **Requirements for briefs.** Any briefs filed under this part must be accompanied by an affidavit stating that a copy of the brief has been served upon all other parties to the action, as provided in part 9800.0310. The original brief and four copies must be filed with the court in all cases.

Subp. 6. **Time limit for briefs.** Extensions of time for the filing of briefs shall be granted only for cause and if requested within the time for the filing of the brief. The failure of any party to timely file a brief under this part may result in the striking of that party's brief from consideration, or if the untimely brief is that of an appellant or cross appellant, in the dismissal of the appellant's or cross appellant's appeal under part 9800.1710.

**Statutory Authority:** *MS s 175A.07*

**History:** *10 SR 698; 13 SR 981; 19 SR 1131*

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