

June 2021

Supreme Court Amends Rule

Dicta Editorial Board

Follow this and additional works at: <https://digitalcommons.du.edu/dlr>

Recommended Citation

Supreme Court Amends Rule, 28 Dicta 460 (1951).

This Article is brought to you for free and open access by the Denver Law Review at Digital Commons @ DU. It has been accepted for inclusion in Denver Law Review by an authorized editor of Digital Commons @ DU. For more information, please contact jennifer.cox@du.edu, dig-commons@du.edu.

United States) which is junior to the deed of trust about to be foreclosed, consideration should be given to the advisability of the foreclosure being made by an action in court rather than by sale by the Public Trustee. This is because the United States has, by U.S.C.A. Title 28 sec. 2410, given its consent to be made a party to such a court action and because, under the provisions of that section, the judicial sale of the property in such action will have the same effect respecting the discharge of the property from the lien or encumbrance held by the United States as it would have if such lien or encumbrance were held by an individual or a private corporation. It is to be noted that said sec. 2410 provides that, where the sale of real estate in such action is made to satisfy a lien prior to that of the United States, the United States shall have *one year* from the date of sale within which to redeem.

SUPREME COURT AMENDS RULE

IN THE SUPREME COURT OF THE STATE OF COLORADO

Rule 118 (c) is hereby amended to read as follows:

A petition for rehearing shall bear the cover endorsement prescribed in Rule 115 (h), the name of the justice who wrote the opinion, and shall state whether the decision was en banc or in department. It may be filed within 15 days after the filing of the opinion of the court, and shall briefly state the points claimed to have been over-looked or misapprehended by the court with proper references to the particular portion of the record and briefs relied upon. Such petition may be printed, mimeographed or type-written and shall not contain more than three pages without consent of the court, and be accompanied by seven legible copies thereof. In no case will any argument be permitted in support of such petition. If argumentative matter is contained therein, the petition may be stricken. No answer will be permitted and no action will be taken save to grant or deny the rehearing. The filing of such petition shall suspend proceedings under the decision until the petition is disposed of, unless the court shall direct otherwise. This amended rule to be applicable to all opinions of this court announced on or after November 19, 1951.

Adopted November 15, 1951.

HAVE TIMES CHANGED?

An historian of the Denver Bar Association, once wrote of an annual Banquet held by this Association, "In 1921 Albert J. Beveridge of Indiana, speaking on the subject 'John Marshall,' held the attention of his audience four hours and, had he so desired, could have held it until daylight."