

RULE 43 | COSTS

1. If the Court affirms a judgment, the petitioner or appellant shall pay costs unless the Court otherwise orders.
2. If the Court reverses or vacates a judgment, the respondent or appellee shall pay costs unless the Court otherwise orders.
3. The Clerk's fees and the cost of printing the joint appendix are the only taxable items in this Court. The cost of the transcript of the record from the court below is also a taxable item, but shall be taxable in that court as costs in the case. The expenses of printing briefs, motions, petitions, or jurisdictional statements are not taxable.
4. In a case involving a certified question, costs are equally divided unless the Court otherwise orders, except that if the Court decides the whole matter in controversy, as permitted by Rule 19.2, costs are allowed as provided in paragraphs 1 and 2 of this Rule.
5. To the extent permitted by 28 U.S.C. §2412, costs under this Rule are allowed for or against the United States or an officer or agent thereof, unless expressly waived or unless the Court otherwise orders.
6. When costs are allowed in this Court, the Clerk will insert an itemization of the costs in the body of the mandate or judgment sent to the court below. The prevailing side may not submit a bill of costs.
7. In extraordinary circumstances the Court may adjudge double costs.

