

Rule 23A. Motion for reinstatement of appeal.

An appeal dismissed for failure to take a step other than the timely filing of a notice of appeal may be reinstated by the court upon motion of the appellant for (a) mistake, inadvertence, surprise, or excusable neglect or (b) fraud, misrepresentation, or misconduct of an adverse party. The motion ~~shall~~must be ~~made~~filed ~~within~~before remittitur. ~~a reasonable time~~thirty days after entry of the order of dismissal or before remittitur, whichever is later.

Effective May 1, 2026