

1 **Rule 23A. Motion for reinstatement of appeal.**

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

8 *Effective May 1, 2026*