

1 **Rule 23. Motions.**

2 (a) **Content of motion.** Unless another form is elsewhere prescribed by these rules, an
3 application for an order or other relief ~~shall~~must be made by filing a motion for such
4 order or relief with proof of service on all other parties. The motion ~~shall~~must contain ~~or~~
5 ~~be accompanied by the following:~~

6 (1) ~~A~~a specific and clear statement of the relief sought;

7 (2) ~~A~~a particular statement of the factual grounds;

8 (3) ~~If the motion is for other than an enlargement of time,~~ a memorandum of
9 points and authorities in support (unless the motion is for an enlargement of
10 time); and

11 (4) ~~A~~affidavits and ~~papers~~documents, where appropriate.

12 (b) **Response.** Any party may file a response to a motion within ~~10~~4 days after the
13 motion is served~~service of the motion~~; however, the court may, for good cause shown,
14 dispense with, shorten, or extend the time for responding to any motion.

15 (c) **Reply.** The moving party may file a reply only to answer new matters raised in the
16 response. A reply, if any, may be filed no later than 5 days after the response is served
17 ~~service of the response~~, but the court may rule on the motion without awaiting a reply.

18 (d) **Determination of motions for procedural orders.** Notwithstanding ~~the provisions~~
19 ~~of~~ paragraph (a) ~~of this rule~~ as to motions generally, motions for procedural orders
20 ~~which do~~ not substantially affecting ing the rights of the parties or the ultimate disposition
21 of the appeal, including any motion under Rule 22(b), may be acted upon at any time,
22 without awaiting a response or reply. Pursuant to rule or at the court's direction~~order~~
23 ~~of the court~~, the clerk may dispose of motions for specified types of procedural orders
24 ~~may be disposed of by the clerk~~. The court may review a clerk's disposition ~~by the clerk~~
25 upon a party's motion ~~of a party~~ or upon its own motion.