

9800.1710 DISMISSAL.

If any appellant or cross appellant fails to timely file a brief as required by part 9800.0900, any party may move this court for dismissal of the appeal. If the appellant or cross appellant is in default for more than 30 days and no party has moved for dismissal, the court may summarily order the dismissal of the appeal or cross appeal without notice. Dismissals granted or ordered under this part are subject to a motion to reinstate.

A motion to reinstate the appeal or cross appeal will be granted only if the appellant or cross appellant can show good cause for failing to timely file a brief and can show that the appeal or cross appeal is meritorious, and that reinstatement would not substantially prejudice the rights of any other party.

Statutory Authority: *MS s 175A.07*

History: *13 SR 981; 19 SR 1131*

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