

Rule 13. Dismissal of Appeal.

(a) Involuntary Dismissal. The court, sua sponte or upon motion of the appellee, with or without notice, may dismiss an appeal for failure to comply with a rule of this court or where otherwise warranted.

(b) Voluntary Dismissal.

(1) In the Superior Court. Before an appeal has been docketed by the Clerk of this court, the Superior Court may dismiss the appeal on the filing of a stipulation signed by all parties or on the appellant's motion with notice to all parties. A copy of the stipulation, or motion and response, if any, must be served on the Clerk of this court.

(2) In the Court of Appeals. An appeal may be dismissed if the parties file a signed dismissal agreement specifying how costs are to be paid and pay any fees that are due. An appeal may also be dismissed on the appellant's motion on terms agreed to by the parties or fixed by the court. In neither case, however, will a mandate or other process issue without an order of the court.