

5103 Withdrawal and Reinstatement of Board Appeal

(a)

A board appellant may file an application to withdraw a board appeal before the board decision is served.

(b)

Upon receipt of such an application, the board shall order the board appeal dismissed.

(c)

The board appellant may file and serve an application for reinstatement of the board appeal within 20 days after service of such a dismissal order. The application shall specify the reason for reinstatement. If the application is untimely, it shall also specify the reason for the delay.

(d)

Within 10 days after service of an application for reinstatement of a board appeal, any other party may file and serve a response to it.

(e)

If the application fails to specify the reason for reinstatement, or, if applicable, for its untimeliness, the board may serve notice requiring the applicant to specify the reason by filing and serving it within 10 days after service of such notice. If the applicant fails to comply, the board may order reinstatement denied.

(f)

Within 10 days after service of such a specification of a reason, any other party may file and serve a response to it.

(g)

If the applicant shows good cause for reinstatement, and, if applicable, for the untimely application, the board appeal shall be ordered reinstated; otherwise reinstatement shall be ordered denied.