

1 **Rule 28. Disposition after appeal.**

2 (a) If a judgment of conviction is reversed, a new trial shall be held unless otherwise specified by
3 the appellate court. Pending a new trial or other proceeding, the defendant shall be detained, or
4 | released ~~upon bail~~, or otherwise restricted as the trial court on remand determines proper. If no
5 further trial or proceeding is to be had a defendant in custody shall be discharged, and a
6 | defendant restricted by monetary bail or otherwise shall be released from restriction and
7 | monetary bail exonerated and any deposit of funds or property refunded to the proper person.

8 (b) Upon affirmance by the appellate court, the judgment or order affirmed or modified shall be
9 executed.

10 (c) Unless otherwise ordered by the trial court, within 28 days after receipt of the remittitur, the
11 trial court shall notify the parties and place the matter on the calendar for review.

12 | Effective ~~November 1, 2015~~October 1, 2020