

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

MAR 17 2006

*Shirley A. Johnson Long*  
Clerk

\* \* \* \*

IN THE MATTER OF THE AMENDMENT)  
SDCL 15-6-51(a) ) RULE 06-48

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A hearing was held on February 16, 2006, at Pierre, South Dakota, relating to the amendment of SDCL 15-6-51(a), and the Court having considered the proposed amendment, the correspondence and oral presentations relating thereto and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 15-6-51(a) be and it is hereby amended to read in its entirety as follows:

**15-6-51(a). Instructions to jury-Requests.**

- (1) A party may, at the close of the evidence or at an earlier reasonable time that the court directs, file and furnish to every other party written requests that the court instruct the jury on the law as set forth in the requests.
- (2) After the close of the evidence, a party may:
  - (A) file requests for instructions on issues that could not reasonably have been anticipated at an earlier time for requests set under § 15-6-51(a)(1), and
  - (B) with the court's permission file untimely requests for instructions on any issue.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 2006.

DATED at Pierre, South Dakota, this 17th day of March, 2006.

BY THE COURT:

*David Gilbertson*  
David Gilbertson, Chief Justice

ATTEST:

*[Signature]*  
Clerk of the Supreme Court  
(SEAL)