THIS ORDER HAS BEEN ELECTRONICALLY APPROVED BY THE COURT

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

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| **STATE OF SOUTH DAKOTA,<br>Plaintiff and Appellee,<br>vs.<br><br>TYSON SEABOY,<br>Defendant and Appellant.** | ) | **ORDER DIRECTING ISSUANCE OF JUDGMENT OF AFFIRMANCE<br><br>#31406** |

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The Court considered all of the briefs filed in the above-entitled matter, together with the appeal record, and concluded pursuant to SDCL 15-26A-87.1(A), that it is manifest on the face of the briefs and the record that the appeal is without merit on the following grounds: 1. that the issues on appeal are clearly controlled by settled South Dakota law or federal law binding upon the states, and 2. that the issues on appeal are ones of judicial discretion and there clearly was not an abuse of discretion (SDCL 15-26A-87.1(A)(1) and (3)), now, therefore, it is

ORDERED that a judgment affirming the Amended Judgment of the lower court be entered forthwith.

DATED at Pierre, South Dakota, this 13th day of October, 2026.

BY THE COURT:

ATTEST:

_____
Steven R. Jensen, Chief Justice

_____
Clerk of the Supreme Court
(SEAL)

**PARTICIPATING: Chief Justice Steven R. Jensen and Justices Mark E. Salter, Patricia J. DeVaney, Scott P. Myren and Robert Gusinsky.**

Filed 10/13/2026 Supreme Court, State of South Dakota #31406