

STATEMENT OF THE ISSUES

1. Whether Ault is vicariously liable for the damages suffered through Duggan's theft of a vehicle under the parental liability statute, SDCL § 25-5-15. The circuit court ruled that Ault was not vicariously liable as a matter of law. In addition to SDCL § 25-5-15, the most pertinent authorities are the following:

*Kaberna v. School Bd. of Lead-Deadwood Sch. Dist. 40-1*, 438

2. Whether Ault has a duty not to leave a door unlocked to another's home which facilitated the theft of a vehicle. The circuit court ruled that Ault had no duty. The most pertinent authorities are the following: *Kuehl v. Horner Lumber Co.*, 2004 SD 48, 678 N.W.2d 809.

3. Whether Ault had a duty not to encourage her fourteen-year old daughter to drive a vehicle without a license. The circuit court ruled that Ault had no duty. The most pertinent authorities are the following: *Kuehl v. Horner Lumber Co.*, 2004 SD 48, 678 N.W.2d 809; *Johnson v. Glidden*, 76 N.W. 933, 933 (S.D. 1898).

4. Whether Ault had a duty to supervise her fourteen-year old daughter. The circuit court ruled that Ault had no duty.