

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

\* \* \* \*

IN THE MATTER OF THE REPEAL AND)  
REENACTMENT OF SDCL 15-26A-75 )

RULE 97-11

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A hearing having been held on February 21, 1997, at Pierre, South Dakota, relating to the repeal and reenactment of SDCL 15-26A-75, and the Court having considered the proposed repeal and reenactment, the correspondence and oral presentations relating thereto, if any, and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 15-26A-75 be and it is hereby repealed and reenacted to read in its entirety as follows:

**15-26A-75. Time for serving and filing briefs.**

- (1) **Appellant's brief.** If a transcript is obtained prior to appeal, or if no transcript is ordered, appellant's brief shall be due as follows:
  - (a) **Appeals taken pursuant to § 15-26A-6:** within forty-five days after service of the notice of appeal, or
  - (b) **Appeals taken pursuant to § 15-26A-6.1:** within twenty-five days after service of the notice of appeal, or
- (2) **Appellant's brief.** If a transcript is ordered but not received prior to appeal, or if procedures pursuant to § 15-26A-54 or § 15-26A-55 are followed, appellant's brief shall be due as follows:
  - (a) **Appeals taken pursuant to § 15-26A-6:** within forty-five days after service of the transcript or filing of the statements provided for in § 15-26A-54 or § 15-26A-55, or
  - (b) **Appeals taken pursuant to § 15-26A-6.1:** within twenty-five days after service of the transcript or filings of the statements provided for in § 15-26A-54 or § 15-26A-55.

- (3) **Appellee's brief.** Appellee's brief shall be due for service and filing as follows:
- (a) **Appeals taken pursuant to § 15-26A-6:** within forty-five days after service of appellant's brief, or in the case of multiple appellants, within forty-five days after service of the last appellant's brief, or
  - (b) **Appeals taken pursuant to § 15-26A-6.1:** within twenty-five days after service of appellant's brief, or in the case of multiple appellants, within twenty-five days after service of the last appellant's brief.
- (4) **Appellant's reply brief.** Appellant's reply brief shall be due for service and filing as follows:
- (a) **All appeals:** within fifteen days after service of appellee's brief, or in the case of multiple appellees, within fifteen days after service of the last appellee's brief.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 1997.

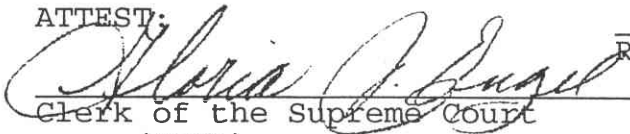
DATED at Pierre, South Dakota, this 17th day of March, 1997.

BY THE COURT:



Robert A. Miller, Chief Justice

ATTEST:



Clerk of the Supreme Court  
(SEAL)

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

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