

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

MAR 17 1997

Alvin P. Engel
Clerk

* * * *

IN THE MATTER OF THE AMENDMENT OF SDCL)
15-39-76)

RULE 97-22

A hearing having been held on February 21, 1997, at Pierre, South Dakota, relating to the amendment of SDCL 15-39-76, and the Court having considered the proposed amendment, the correspondence and oral presentations relating thereto, if any, and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 15-39-76 be and it is hereby amended to read in its entirety as follows:

15-39-76. Costs awarded on motion to vacate judgment. Costs in an amount fixed by the court not exceeding two hundred fifty dollars may be awarded, in the discretion of the court, for or against either party to a motion to vacate judgment, and judgment may be entered and execution may be issued therefor, and any action by the court may be made conditional upon the payment of such costs of the performance or any other proper condition.

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

Robert A. Miller, Chief Justice

ATTEST:

Alvin P. Engel
Clerk of the Supreme Court
(SEAL)