

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE)	ORDER GRANTING REHEARING
FRED PETERSEN LAND TRUST)	
)	#29745
)	
IN THE MATTER OF THE)	
FRED PETERSEN LIVING TRUST)	
)	

Appellants Sally and Michael Johnson having served and filed a petition for rehearing of the above-entitled cause, and Appellee Jody Wallin having served and filed a response thereto, and the petition and response having been considered by the Court, and a majority of the Justices having filed a statement requesting that a rehearing be granted, now, therefore, in accordance with the rehearing rule of the Court, it is

ORDERED that the petition for rehearing be and is hereby granted to the extent that footnote 5 of the Court's opinion, 2022 S.D. 72, issued November 23, 2022, shall be modified;

ORDERED that the parties' submissions concerning the petition for rehearing are sufficient to present the parties' arguments, and the Court does not require further briefing or oral argument; and

IT IS FURTHER ORDERED that this Court's original opinion, 2022 S.D. 72, issued November 23, 2022, is withdrawn and the Court's

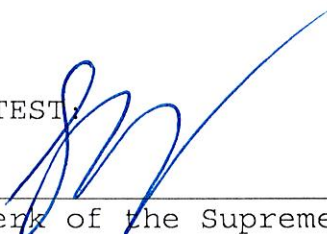
#29745, Order Granting Rehearing

modified opinion shall be substituted and filed concurrently with this order.


DATED at Pierre, South Dakota this 18th day of August, 2023.

BY THE COURT:

ATTEST:



Clerk of the Supreme Court
(SEAL)



Steven R. Jensen, Chief Justice

PARTICIPATING: Chief Justice Steven R. Jensen and Justices Janine M. Kern, Mark E. Salter, Patricia J. DeVaney and Scott P. Myren.

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

AUG 18 2023


Clerk