SUPREME COURT STATE OF SOUTH DAKOTA FILED

IN THE SUPREME COURT

OF THE

OCT 1 1 2022

STATE OF SOUTH DAKOTA

STATE OF SOUTH DAKOTA, Plaintiff and Appellee, ORDER DIRECTING ISSUANCE OF JUDGMENT OF AFFIRMANCE

vs.

#29796

Chief Justice

WYATT ANDREW PROVENCIAL, Defendant and Appellant.

The Court having, pursuant to SDCL 15-26A-87.1(A), considered all of the briefs filed in the above-entitled matter, together with the appeal record, and having concluded that it is manifest on the face of the briefs and the record that the appeal is without merit on the ground that the issues on appeal are factual and there clearly is sufficient evidence to support the verdicts below (SDCL 15-26A-87.1(A)(2)), now, therefore, it is

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

DATED at Pierre, South Dakota, this 11th day of October, 2022.

BY THE COURT:

ATTEST:

ťhe Supreme Court

(SEAL)

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