

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

IN THE SUPREME COURT

FEB 20 2024

OF THE

STATE OF SOUTH DAKOTA

*Shirley A. Jensen*  
Clerk

CHERYL FROST,  
Claimant and Appellant,

vs.

TENTEXKOTA, LLC, d/b/a  
DEADWOOD MOUNTAIN GRAND,  
Employer and Appellee,

and

AMTRUST NORTH AMERICA,  
Insurer and Appellee.

ORDER DIRECTING ISSUANCE OF  
JUDGMENT OF AFFIRMANCE

#30419

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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 following grounds: 1. that the issues on appeal are clearly controlled by settled South Dakota law or federal law binding upon the states, and 2. that the issues on appeal are factual and there clearly is sufficient evidence to support the findings of fact and conclusions of law below (SDCL 15-26A-87.1(A)(1) and (2)), now, therefore, it is

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

DATED at Pierre, South Dakota, this 20th day of February, 2024.

BY THE COURT:

*Steven R. Jensen*  
Steven R. Jensen, Chief Justice

ATTEST:

*[Signature]*  
Clerk of the Supreme Court  
(SEAL)

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