

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

MAR 30 2009

Shirley A. Johnson Legal
Clerk

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT)
SDCL 15-6-6(e).)

RULE 09-02

A hearing was held on February 19, 2009, at Pierre, South Dakota, relating to the amendment of SDCL 15-6-6(e) and the Court having considered the proposed amendment and oral presentation relating thereto and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 15-6-6(e) be and it is hereby amended to read in its entirety as follows:

**SDCL 15-6-6(e). Additional time after service by mail--
Facsimile and Electronic Mail transmission service exempt.**

Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him, or whenever such service is required to be made a prescribed period before a specified event, and the notice or paper is served by mail, three days shall be added to the prescribed period.

Service by facsimile or electronic mail transmission shall not be deemed service by mail for purposes of this section.

IT IS FURTHER ORDERED that the rule shall become effective July 1, 2009.

DATED at Pierre, South Dakota, this 30th day of March, 2009.

BY THE COURT:

David Gilbertson

David Gilbertson, Chief Justice

ATTEST:

Shirley A. Johnson Legal
Clerk of the Supreme Court
(SEAL)