

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT OF)

SDCL 15-26A-13)

RULE 11-02

A hearing was held on February 16, 2011, at Pierre, South Dakota, relating to the amendment of SDCL 15-26A-13 and the Court having considered the proposed amendment and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 15-26A-13 be and it is hereby amended to read in its entirety as follows:

SDCL 15-26A-13. Petition for permission to take discretionary appeal. An appeal from an intermediate order made before trial as prescribed by subdivision 15-26A-3 (6) may be sought by filing a petition for permission to appeal, together with proof of service thereof upon all other parties to the action in circuit court, with the clerk of the Supreme Court within ten days after notice of entry of such order. When a petition is forwarded to the clerk for filing by mail it shall be accompanied by an affidavit of mailing or certificate of service of mailing and shall be deemed to be filed as of the date of mailing.

The original and five copies of the petition shall be filed with the clerk of the Supreme Court, together with the required statutory filing fees unless exempt by law.

IT IS FURTHER ORDERED that the rule shall become effective July 1, 2011.

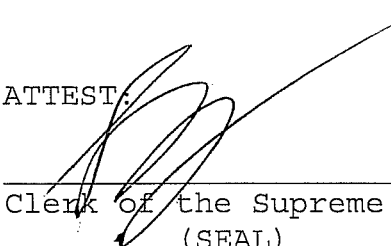
DATED at Pierre, South Dakota, this 2nd day of March, 2011.

BY THE COURT:



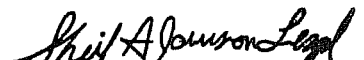
David Gilbertson, Chief Justice

ATTEST:


Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

MAR - 2 2011


Clerk