

Tuesday, August 25, 2009
10:00 A.M.

NO. 2

#25124

IN THE MATTER OF
M.D.D.,
DELIQUENT CHILD.

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(FOR APPELLEE STATE)

The Honorable Vincent A. Foley
Third Judicial Circuit
Beadle County Clerk

(JUV 08-87)

20-20-10

LEGAL ISSUES

1. Whether the Circuit Court erred in ordering the child to pay restitution.

The Circuit Court ordered the child to pay restitution in the amount of \$2,790.07 to Medicaid.

Relevant Authority:

State v. Fryer, 496 NW2d 54 (SD 1993)

State v. Galligo, 1996 SD 83, 551 NW2d 303

SDCL 23A-28-2

SDCL 26-8B-6(4)

2. Whether the Circuit Court erred in placing the child in the custody of the Department of Corrections.

The Circuit Court committed the child to the Department of Corrections.

Relevant Authority:

SDCL 26-8C-7