

II. STATEMENT OF LEGAL ISSUES

1. Whether the trial court erred in granting a change of custody of the minor children to Dale DeSmet if Cheri DeSmet relocated from Brookings, South Dakota to Woodbury, Minnesota and restraining Cheri DeSmet from relocating to Woodbury, Minnesota with the minor children?

The trial court ruled that if Cheri DeSmet moved from Brookings, South Dakota to Woodbury, Minnesota the custody of the minor children would be changed from Cheri DeSmet to Dale DeSmet.

2. Whether the trial court erred in denying Cheri DeSmet's Motion to Reopen and/or Reconsider the decision to change custody if Cheri DeSmet moved from Brookings, South Dakota to Woodbury, Minnesota.

The trial court ruled there was no new evidence or differing evidence submitted by Cheri DeSmet that would alter the Court's decision.