

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

MAR 17 1997

*Alvin Engel*  
Clerk

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IN THE MATTER OF THE AMENDMENT OF SDCL)  
15-39-58 )

RULE 97-15

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A hearing having been held on February 21, 1997, at Pierre, South Dakota, relating to the amendment of SDCL 15-39-58, and the Court having considered the proposed amendment, the correspondence and oral presentations relating thereto, if any, and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 15-39-58 be and it is hereby amended to read in its entirety as follows:

**15-39-58. Transmittal of papers upon removal-- Pleadings and speedy trial.** Upon removal, the clerk of courts shall forthwith transmit such original papers or attested copies thereof and the circuit or magistrate court may try the action as transmitted or may require pleading as in an action by summons, but the action shall be marked for trial on the list of causes advanced for speedy trial by jury.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 1997.

DATED at Pierre, South Dakota, this 17th day of March, 1997.

BY THE COURT:

*Robert A. Miller*

Robert A. Miller, Chief Justice

ATTEST:

*Alvin Engel*  
Clerk of the Supreme Court  
(SEAL)