

IN THE SUPREME COURT SUPREME COURT
OF THE STATE OF SOUTH DAKOTA
STATE OF SOUTH DAKOTA FILED
APR 29 2024

* * * *

Shirley A. Jensen
Clerk

STATE OF SOUTH DAKOTA,)
Plaintiff and Appellee,)
vs.)
KIMBERLEE BEA BROWNE,)
Defendant and Appellant.)

ORDER DIRECTING ISSUANCE OF
JUDGMENT OF AFFIRMANCE

#30471

The Court having, pursuant to SDCL 15-26A-87.1(A), considered all of the briefs filed in the above-entitled matter, together with the appeal record, and having concluded that it is manifest on the face of the briefs and the record that the appeal is without merit on the following grounds: 1. that the issues on appeal are clearly controlled by settled South Dakota law or federal law binding upon the states, and 2. that the issues on appeal are factual and there clearly is sufficient evidence to support the verdict below (SDCL 15-26A-87.1(A)(1) and (2)), now, therefore, it is

ORDERED that a judgment affirming the Judgment of the lower court be entered forthwith.

DATED at Pierre, South Dakota, this 29th day of April, 2024.

BY THE COURT:

ATTEST:

[Signature]
Clerk of the Supreme Court
(SEAL)

[Signature]
Steven R. Jensen, Chief Justice

PARTICIPATING: Chief Justice Steven R. Jensen, Justices Janine M. Kern, Mark E. Salter, Patricia J. DeVaney and Scott P. Myren.