

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT OF)
SDCL 15-26A-89)

RULE 10-06

A hearing was held on August 26, 2010, at Pierre, South Dakota, relating to the amendment of SDCL 15-26A-89, and the Court having considered the proposed amendment and being fully advised in the premises, now, therefore, it is

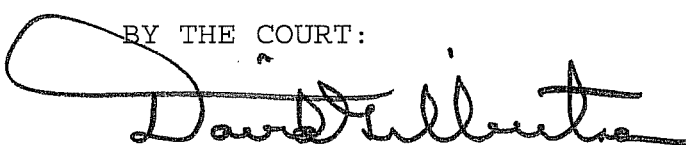
ORDERED that SDCL 15-26A-89 be and it is hereby amended to read in its entirety as follows:

SDCL 15-26A-89. When Member of Court Absent. Whenever any member of the court is not present at the oral argument of a case, such case shall be deemed submitted to such member of the court on the record, briefs, and recorded arguments. When during the consideration of a case there is a change in the personnel of the court, the case shall be deemed submitted to the members of the court sitting on the case when the case was placed on the court's calendar.

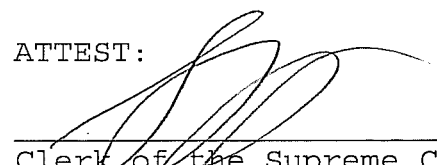
IT IS FURTHER ORDERED that the rule shall become effective immediately.

DATED at Pierre, South Dakota, this 30th day of August, 2010.

BY THE COURT:


David Gilbertson, Chief Justice

ATTEST:


Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

AUG 30 2010


Clerk