

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

MAY 30 2023

*Shirley A. Johnson Lepp*  
Clerk

\* \* \* \*

STATE OF SOUTH DAKOTA,	)	ORDER DIRECTING ISSUANCE OF
Plaintiff and Appellee,	)	JUDGMENT OF AFFIRMANCE
	)	
vs.	)	#30149
	)	
GARY MATTHEW SHAVER,	)	
Defendant and Appellant.	)	

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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 ground that the issues on appeal are ones of judicial discretion and there clearly was not an abuse of discretion (SDCL 15-26A-87.1(A)(3)), now, therefore, it is

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

DATED at Pierre, South Dakota, this 30th day of May, 2023.

BY THE COURT:

*Steven R. Jensen*  
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Steven R. Jensen, Chief Justice

ATTEST:

*Christina Hude*  
\_\_\_\_\_  
Deputy Clerk of the Supreme Court  
(SEAL)

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