

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

\* \* \* \*

IN THE MATTER OF THE AMENDMENT)  
OF SDCL 15-26B-10 )

RULE 91-2

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Pursuant to a hearing held on February 14, 1991, at Pierre, South Dakota, relating to the amendment of SDCL 15-26B-10, 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 15-26B-10 be and it is hereby amended to read in its entirety as follows:

15-26B-10. Order entered after conference. Following an appellate settlement conference in which a settlement or tentative settlement is reached, the parties shall have thirty days in which to file a stipulation for dismissal of the appeal with the clerk of the Supreme Court. On the filing of the stipulation, the Supreme Court shall enter an order dismissing the appeal. If no stipulation is filed within the thirty days required by this section, the appeal shall be returned to the active docket and the stay imposed by § 15-26B-6 lifted.

Following an appellate settlement conference in which no settlement or tentative settlement is reached, the conferee shall enter an order returning the appeal to the active docket. However, if the parties have agreed to a limitation of the issues on appeal, the conferee's order continuing the appeal shall limit the appellate issues in a manner consistent with the agreement of the parties.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 1991.

DATED at Pierre, South Dakota, this 26th day of  
February, 1991.

BY THE COURT:



Robert A. Miller, Chief Justice

ATTEST:



Clerk of the Supreme Court  
(SEAL)

SUPREME COURT  
STATE OF SOUTH DAKOTA  
F I L E D

FEB 26 1991

  
Clerk