

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED
SEP 03 2024

STATE OF SOUTH DAKOTA,
Plaintiff and Appellee,

vs.

RYAN ADAM CORLEY
Defendant and Appellant.

ORDER DIRECTING ISSUANCE OF
JUDGMENT OF AFFIRMANCE

#30518

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.

IT IS FURTHER ORDERED that the Court declines to consider the merits of Appellant's ineffective assistance of counsel claim(s) because the record on direct appeal does not afford an adequate basis to review the performance of trial counsel. [(See *State v. Vortherms*, 2020 S.D 67, ¶30, 952 N.W.2d 113, 120).]

DATED at Pierre, South Dakota, this 3rd day of September, 2024.

ATTEST:

Clerk of the Supreme Court
(SEAL)

BY THE COURT:

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.