

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

SUPREME COURT  
STATE OF SOUTH DAKOTA  
**FILED**

SEP 24 2009

*Shirley A. Johnson Legal*  
Clerk

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IN THE MATTER OF THE AMENDMENT OF )  
SDCL 15-6-4(a) )

RULE 09-07

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A hearing was held on August 26, 2009, at Pierre, South Dakota, relating to the amendment of SDCL 15-6-4(a) and the Court having considered the proposed amendment and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 15-6-4(a) be and it is hereby amended to read in its entirety as follows:

SDCL 15-6-4(a). Summons--Form. The summons shall be legibly subscribed by the plaintiff or his attorney and shall include the subscriber's address. It shall be directed to the defendant, and shall require him to answer the complaint and serve a copy of his answer on the subscriber at the subscriber's address within thirty days after the service of the summons, exclusive of the day of service, and shall notify him that in case of his failure to answer, judgment by default may be rendered against him as requested in the complaint.

Whenever the form of the summons is specified in any statute or rule relating to any action, remedy or special proceeding, the form so specified shall be used.

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

DATED at Pierre, South Dakota, this 24th day of September, 2009.

BY THE COURT:

*David Gilbertson*

David Gilbertson, Chief Justice

ATTEST:

*[Signature]*  
Clerk of the Supreme Court  
(SEAL)