

IN THE SUPREME COURT

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

OF THE

JUN 10 2024

STATE OF SOUTH DAKOTA

*Shif A. Jensen, Legd*  
Clerk

\* \* \* \*

STATE OF SOUTH DAKOTA,  
Plaintiff and Appellee,

) ORDER DIRECTING ISSUANCE OF  
) JUDGMENT OF AFFIRMANCE  
)

vs.

) #30552  
)

LAY KA PAW HTOO,  
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 10th day of June, 2024.

BY THE COURT:

ATTEST:

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

*[Signature]*  
\_\_\_\_\_  
Steven R. Jensen, Chief Justice

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