

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

* * * *

JOHN RADZIWON, III, and)	ORDER DIRECTING ISSUANCE OF
CATHY RADZIWON,)	JUDGMENT OF AFFIRMANCE
Plaintiffs and Appellants,)	
)	#30073
vs.)	
)	
DR. DAVID GODBE, M.D.,)	
MONUMENT HEALTH RAPID CITY)	
HOSPITAL, INC., f/k/a RAPID)	
CITY REGIONAL HOSPITAL, INC.,)	
MONUMENT HEALTH NETWORK, INC.,)	
f/k/a REGIONAL HEALTH NETWORK,)	
INC., MONUMENT HEALTH PHYSICIANS,)	
INC., f/k/a REGIONAL HEALTH)	
PHYSICIANS, INC., and MONUMENT)	
HEALTH, INC., f/k/a REGIONAL)	
HEALTH, INC.,)	
Defendants and Appellees.)	

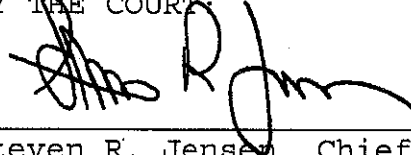
The Court considered all of the briefs filed in the above-entitled matter, together with the appeal record, and concluded pursuant to SDCL 15-26A-87.1(A), that it is manifest on the face of the briefs and the record that the appeal is without merit on the following grounds: 1. that the issues on appeal are clearly controlled by settled South Dakota law or federal law binding upon the states, and 2. that the issues on appeal are ones of judicial discretion and there clearly was not an abuse of discretion (SDCL 15-26A-87.1(A)(1) and (3)), now, therefore, it is

#30073, Order

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

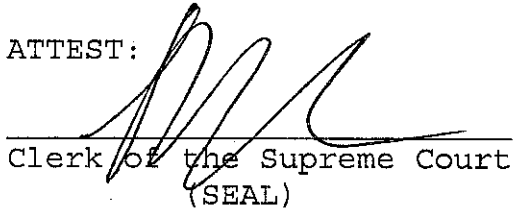
DATED at Pierre, South Dakota, this 27th day of March, 2023.

BY THE COURT:



Steven R. Jensen, Chief Justice

ATTEST:



Clerk of the Supreme Court
(SEAL)

(Justice Janine M. Kern recused.)

PARTICIPATING: Chief Justice Steven R. Jensen, Justices Mark E. Salter, Patricia J. DeVaney, Scott P. Myren and Circuit Judge Dawn Elshere.

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

MAR 27 2023



Clerk