

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

\* \* \* \*

EMILY BIALOTA,	)	ORDER GRANTING REHEARING
Plaintiff and Appellant,	)	
	)	#29851
vs.	)	
	)	
LAKOTA LAKES, LLC, a Minnesota	)	
limited liability company,	)	
PETER J. TAUNTON, KRISTIN J.	)	
TAUNTON, and all persons unknown,	)	
claiming any legal or equitable	)	
right, title estate, lien, or	)	
interest in the property	)	
described in the complaint	)	
adverse to plaintiff's title or	)	
a cloud on plaintiff's title	)	
thereto,	)	
Defendants and Appellees.	)	

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Appellant Lakota Lakes LLC having served and filed a petition for rehearing of the above-entitled cause, and Appellee Emily Bialota having served and filed a response thereto, and the petition and response having been considered by the Court, and a majority of the Justices having filed a statement requesting that a rehearing be granted, now, therefore, in accordance with the rehearing rule of the Court, it is

ORDERED that the petition for rehearing be and is hereby granted to the extent that paragraphs 23 and 25 of the Court's opinion, 2023 S.D. 55, and paragraph 38 of the Dissent, issued on October 25, 2023, shall be modified;

#29851, Order

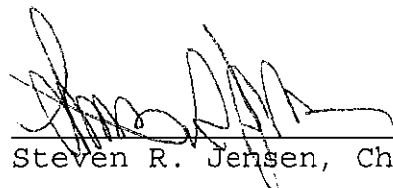
ORDERED that the parties' submissions concerning the petition for rehearing are sufficient to present the parties' #29851, Order Granting Rehearing arguments, and the Court does not require further briefing or oral argument; and

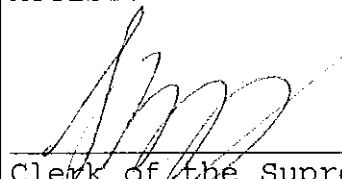
IT IS FURTHER ORDERED that this Court's original opinion, 2023 S.D. 55, issued October 25, 2023, is withdrawn and the Court's modified opinion shall be substituted and filed concurrently with this order.

DATED at Pierre, South Dakota this 7th day of February, 2024.

BY THE COURT:

ATTEST:

  
Steven R. Jensen, Chief Justice

  
Clerk of the Supreme Court  
(SEAL)

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

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

FEB 07 2024

  
Clerk