

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT) RULE 17-11
SDCL 23A-13-10)

A hearing was held on May 30, 2017, at Pierre, South Dakota, relating to the amendment of SDCL 23A-13-10 and the Court having considered the proposed amendment and oral presentation thereto and being fully advised in the premises, now, therefore, it is

ORDERED that **SDCL 23A-13-10** be and it is hereby amended to read in its entirety as follows:

SDCL 23A-13-10. Kinds of prior statements subject to discovery by defendant. The term "statement" as used in §§ 23A-13-7 to 23A-13-9, inclusive, in relation to any witness called by the prosecuting attorney, means:

- (1) A written statement made by such witness and signed or otherwise adopted or approved by him;
- (2) A stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement made by such witness and recorded contemporaneously with the making of such oral statement;
- (3) A statement, however taken or recorded, or a transcription thereof, if any, made by such witness to a grand jury;
- (4) A summary of an oral declaration made by someone other than the witness that has been reduced to writing, except for a summary written by a prosecuting attorney.

Rule 17-11

IT IS FURTHER ORDERED that this rule shall become effective September 1, 2017.

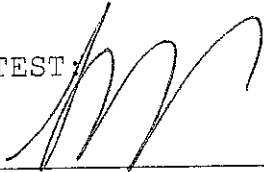
DATED at Pierre, South Dakota, this 5th day of July, 2017.

BY THE COURT:

A handwritten signature in dark ink, appearing to read "David Gilbertson", written over a horizontal line.

David Gilbertson, Chief Justice

ATTEST:

A handwritten signature in dark ink, consisting of stylized, overlapping loops, written over a horizontal line.

Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

JUL - 5 2017

A handwritten signature in dark ink, appearing to read "Shif A. Johnson", written over a horizontal line.
Clerk