

SUPREME COURT
STATE OF SOUTH DAKOTA
IN THE SUPREME COURT FILED

OF THE DEC 19 2025

STATE OF SOUTH DAKOTA

Chief Justice Leg
Clerk

* * * *

STATE OF SOUTH DAKOTA,) ORDER DIRECTING ISSUANCE OF
Plaintiff and Appellee,) JUDGMENT OF AFFIRMANCE
)
vs.) #30831
)
BRENT ALLEN SILK, JR,)
Defendant and Appellant.)

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

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

DATED at Pierre, South Dakota, this 19th day of December, 2025.

BY THE COURT:

[Signature]
Steven R. Jensen, Chief Justice

ATTEST:

[Signature]
Clerk of the Supreme Court
(SEAL)

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