

IN THE SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

OF THE

SEP 02 2025

STATE OF SOUTH DAKOTA

Shirley A. Johnson Legal
Clerk

* * * *

STATE OF SOUTH DAKOTA,
Plaintiff and Appellee,

vs.

DAMON JUSTIN MESTETH,
Defendant and Appellant.

) ORDER DIRECTING ISSUANCE OF
) JUDGMENT OF AFFIRMANCE
)
)
)
)
)
)
)

#30901

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 2nd day of September,
2025.

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.