

#24578

STATEMENT OF LEGAL ISSUE

DID THE TRIAL COURT ERR AS A MATTER OF LAW AND ABUSE ITS DISCRETION IN ENTERING AN ORDER (1) SEALING ALL DOCUMENTS RELATED TO TESTING A PICKUP AND (2) DENYING THE STATE ANY PARTICIPATION IN PROCEEDINGS RELATED TO TESTING THE PICKUP?

The trial court allowed Defendants to file their motion under seal, sealed all documents relating to defense testing of the pickup and denied the

State any participation in proceedings related to testing the pickup.

State v. Guthrie, 2002 S.D. 138, 654 N.W.2d 201

State v. Sahlie, 277 N.W.2d 591 (S.D. 1979)

State v. Floody, 481 N.W.2d 242 (S.D. 1992)

United States v. Libby, 429 F. Supp.2d 18  
(D.D.C. 2006)

SDCL 23A-13-16

S.D. Code Jud. Conduct, Cannon 3(7)(9), (e).