

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

MAY 05 2025

*Shirley A. Johnson Lepp*  
Clerk

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MERLE G. BIERSCHENK and )  
ANITA J. BIERSCHENK, )  
Plaintiffs and Appellees, )  
vs. )  
RICHARD D. PARCEL, )  
WENDY PARCEL, )  
Defendants and Appellants, )  
and WILLIAM BOSCH, Co-Trustee of )  
the William and Margaret Bosch )  
Family Trust dated July 17, 2023, )  
Defendant and Appellee. )

ORDER DIRECTING ISSUANCE OF  
JUDGMENT OF AFFIRMANCE

#30889

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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 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 factual and there clearly is sufficient evidence to support the findings of fact and conclusions of law below (SDCL 15-26A-87.1(A) (1) and (2)), now, therefore, it is

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

DATED at Pierre, South Dakota, this 5th day of May, 2025.

BY THE COURT:

*Steven R. Jensen*  
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Steven R. Jensen, Chief Justice

ATTEST:

*[Signature]*  
\_\_\_\_\_  
Clerk of the Supreme Court  
(SEAL)

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