

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

FEB 27 2023

Shirley A. Jameson Fergol
Clerk

* * * *

IN THE MATTER OF THE AMENDMENT)
SDCL 15-26A-13)

RULE 23-03

A hearing was held on February 16, 2023 at Pierre, South Dakota, relating to the amendment to SDCL 15-26A-13, and the Court having considered the proposed amendment and oral presentation relating thereto, now, therefore, it is

ORDERED that SDCL 15-26A-13 is amended to read in its entirety as follows:

SDCL 15-26A-13. Petition for permission to take discretionary appeal.

An appeal from an intermediate order made before trial as prescribed by subdivision 15-26A-3(6) may be sought by filing a petition for permission to appeal, together with proof of service thereof upon all other parties to the action in circuit court, with the clerk of the Supreme Court within ten days after notice of entry of such order. When a petition is forwarded to the clerk for filing by mail it shall be accompanied by an affidavit of mailing or certificate of service of mailing and shall be deemed to be filed as of the date of mailing.

~~The original and five copies of the~~ petition shall be filed with the clerk of the Supreme Court, together with the required statutory filing fees unless exempt by law.

IT IS FURTHER ORDERED that this rule shall become effective April 1, 2023.

DATED at Pierre, South Dakota, this 27th day of February, 2023.

BY THE COURT:

ATTEST:

[Signature]
Clerk of the Supreme Court
(SEAL)

[Signature]
STATE OF SOUTH DAKOTA
to the Supreme Court
Shirley A. Jameson Fergol, Clerk of the Supreme Court of South Dakota, hereby certifies that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, S.D. this
27 day of Feb, 2023.
[Signature]
Deputy