

STATE OF SOUTH DAKOTA
In the Supreme Court
I, Shirley A. Jamason-Fergal, Clerk of the Supreme Court of
South Dakota, hereby certify 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

5 day of Jan 20 22

Shirley A. Jamason-Fergal
Clerk of Supreme Court
Deputy

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

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SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

JAN -5 2022

Shirley A. Jamason-Fergal
Clerk

IN THE MATTER OF THE AMENDMENT)
SDCL 15-30-1)
)

RULE 22-03

A hearing was held on November 9, 2021, at Pierre,
South Dakota, relating to the amendment of SDCL 15-30-1
and the Court having considered the proposed amendment, oral
presentation relating thereto and being fully advised in the
premises, now, therefore, it is

ORDERED that SDCL 15-30-1 be and it is hereby
amended to read in its entirety as follows:

**SDCL 15-30-1. Remand to trial court to permit motion
for new trial.**

Whenever, after appeal to the Supreme Court, it shall
appear to the satisfaction of the Supreme Court upon application of
a party that the ends of justice require that such party should be
permitted to make a motion for a new trial for a cause set forth in
subdivision 15-6-59(a) (1), (2), (3), or (4), and that sufficient
excuse exists for not having made said motion prior to the appeal,
the Supreme Court may remand the record to the trial court for the
purpose of making such motion, but no such remand shall be made
unless such motion can be made and hearing thereon had in the trial
court within sixty days from and after the date on which the time
for appeal commences unless the Supreme Court extends the time for
good cause shown.

IT IS FURTHER ORDERED that this rule shall become
effective February 1, 2022.

DATED at Pierre, South Dakota, this 5th day of January,
2022.

BY THE COURT:

Steven R. Jensen
Steven R. Jensen, Chief Justice

ATTEST:

[Signature]
Clerk of the Supreme Court
(SEAL)