

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 21 2023

Shirley A. Johnson Lepp
Clerk

* * * *

STATE OF SOUTH DAKOTA,)
Plaintiff and Appellee,)
vs.)
MARLON DUMARCE,)
Defendant and Appellant.)

ORDER DIRECTING ISSUANCE OF
JUDGMENT OF AFFIRMANCE

#29983

The Court considered all of the briefs filed in the above-entitled matter, together with the appeal record, and concluded pursuant to SDCL 15-26A-87.1(A), 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 clearly controlled by settled South Dakota law or federal law binding upon the states (SDCL 15-26A-87.1(A)(1)), now, therefore, it is

ORDERED that a judgment affirming the Judgment of the circuit court be entered forthwith.

DATED at Pierre, South Dakota, this 21st day of February, 2023.

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.