

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

FEB 21 2023

Shif A. Johnson Legal
Clerk

* * * *

PAUL WILLIAM WAGNER III,)	ORDER DIRECTING ISSUANCE OF
Plaintiff and Appellant,)	JUDGMENT OF AFFIRMANCE
)	
vs.)	#30101, #30104
)	
TERRY WAGNER and WAGNER'S INC.,)	
Defendants and Appellees.)	

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 Orders 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.