

IN THE SUPREME COURT

SEP 05 2023

OF THE

STATE OF SOUTH DAKOTA

*Shif A. Johnson Legal*  
Clerk

\* \* \* \*

KIRK A. HETTICH,	)	ORDER DIRECTING ISSUANCE OF
Plaintiff and Appellant,	)	JUDGMENT OF AFFIRMANCE
	)	
vs.	)	#30229
	)	
CHRISANNA HETTICH,	)	
Defendant and Appellee.	)	

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 following grounds: 1. that the issues on appeal are factual and there clearly is sufficient evidence to support the findings of facts and conclusions of law below, and 2. that the issues on appeal are ones of judicial discretion and there clearly was not an abuse of discretion (SDCL 15-26A-87.1(A)(2) and (3)), now, therefore, it is

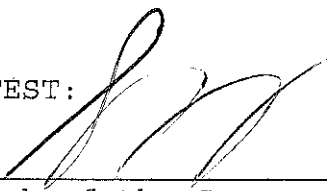
ORDERED that a judgment affirming the Judgment of the lower court be entered forthwith.

IT IS FURTHER ORDERED AND ADJUDGED that Appellee have and recover of the Appellant costs and/or attorney fees on this appeal, taxed and allowed at Five-thousand (\$5,000.00) and No/100 Dollars.

DATED at Pierre, South Dakota, this 5th day of September, 2023.

BY THE COURT:

ATTEST:



  
Steven R. Jensen, Chief Justice

Clerk of the Supreme Court  
(SEAL)

(Chief Justice Steven R. Jensen and Justice Mark E. Salter dissent on attorney fees and would award no appellate fees.)

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