

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

OF THE

FEB 20 2024

STATE OF SOUTH DAKOTA

* * * *

Shirley A. Johnson-Lynch
Clerk

STATE OF SOUTH DAKOTA,
Plaintiff and Appellee,

ORDER DIRECTING ISSUANCE OF
JUDGMENT OF AFFIRMANCE

VS.

#30331

DEANN MARIE HOLZWARTH,
Defendant and Appellant.

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 clearly controlled by settled South Dakota law or federal law binding upon the states, 2. that the issues on appeal are factual and there clearly is sufficient evidence to support the findings of fact and conclusion of law and 3. 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)(1), (2) and (3)), now, therefore, it is


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

DATED at Pierre, South Dakota, this 20th day of February,
2024.

BY THE COURT:

ATTEST:

BY THE COURT:



Steven R. Jensen, Chief Justice

Clerk of the Supreme Court
(SEAL)

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