SUPREME COURT STATE OF SOUTH DAKOTA FILED

IN THE SUPREME COURT

JUN 10 2024

OF THE

STATE OF SOUTH DAKOTA

Shif A Journ Legil Clerk

ROBB L. KRAUSE, REBECCA F.
KRAUSE, and KRAUSE LIVESTOCK, LLC,
Plaintiffs and Appellees,

ORDER DIRECTING ISSUANCE OF JUDGMENT OF AFFIRMANCE

#30442

vs.

DOUGLAS L. FETEN and TINA N. FETEN,

Defendants and Appellants.

The Court having, pursuant to SDCL 15-26A-87.1(A), considered all of the briefs filed in the above-entitled matter, together with the appeal record, and having concluded 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, and 2. that the issues on appeal are factual and there clearly is sufficient evidence to support the findings of fact and conclusions of law below (SDCL 15-26A-87.1(A)(1) and (2)), now, therefore, it is

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

DATED at Pierre, South Dakota, this 10th day of June, 2024.

BY THE COURT:

ATTEST:

teven R. Jensen, Chief Justice

Clerk of the Supreme Court

(SEAL)

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