

IN THE SUPREME COURT

OF THE

MAR 25 2024

STATE OF SOUTH DAKOTA

Shif Jensen
Clerk

* * * *

STATE OF SOUTH DAKOTA,)	ORDER DIRECTING ISSUANCE OF
Plaintiff and Appellee,)	JUDGMENT OF AFFIRMANCE
)	
vs.)	#30502
)	
WYATT W RASMUSSEN,)	
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 factual and there clearly is sufficient evidence to support the jury verdict 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 Order of the lower court be entered forthwith.

DATED at Pierre, South Dakota, this 25th day of March, 2024.

BY THE COURT:

Steven R. Jensen

Steven R. Jensen, Chief Justice

ATTEST:

[Signature]

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.