Chapter 232

SCR 23-15

SUPREME COURT RULES AND ORDERS

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE AMENDMENT SDCL 15-30-9	RULE 23-15

A hearing was held on February 16, 2023, at Pierre, South Dakota, relating to the amendment to SDCL 15-30-9, and the Court having considered the proposed amendment and oral presentation relating thereto, now, therefore, it is

ORDERED that SDCL 15-30-9 is amended to read in its entirety as follows:

SDCL 15-30-9. Objections to taxation of costs on appeal--Reply to objections--Decision by court.

At any time within ten days after the mailing of such notice of taxation of costs, any party aggrieved may object to the same by serving written objections upon the other parties to the appeal and filing ~~five copies of~~ such objections with proof of service thereof with the clerk of the Supreme Court. If any relevant question of fact is raised, the party objecting shall serve and file with ~~his~~ the objections, proof in the form of an affidavit or affidavits of the facts as claimed by ~~him, and five additional copies of such affidavits must be filed with the clerk~~ the party. The objections may be supported by such written argument or authority as the party desires to submit in support of the same. Within five days after the service of such objections, any party to the appeal may reply thereto by serving the same with answering affidavits if any on the ~~adverse~~ other parties and filing ~~five clear copies~~ the reply with the clerk of the court. Such reply may contain such argument and authority as the party may desire to submit. Upon receipt of such objections and replies, if any, and after the time for serving and filing the same has expired, the court shall consider and decide upon the same and make such order thereon as to it may seem warranted and such order shall be final and not subject to rehearing or appeal excepting that the court will at all times reserve the right to correct any actual mistake or error existing therein.

IT IS FURTHER ORDERED that this rule shall become effective April 1, 2023.

DATED at Pierre, South Dakota, this 27th day of February, 2023.

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