

STATE OF SOUTH DAKOTA
BANKING COMMISSION
DEPARTMENT OF LABOR AND REGULATION

IN THE MATTER OF THE APPLICATION OF
FIRST STATE BANK OF ROSCOE
TO ESTABLISH A BRANCH BANK LOCATED AT
605 J AVENUE, EUREKA SD 57437

AMENDED
NOTICE OF HEARING

DOL 16-01

Notice is hereby given that the hearing formerly to be held before the South Dakota Banking Commission ("Commission") on Friday, March 18, 2016, **has been rescheduled to Thursday-Friday, April 21-22, 2016**, commencing at the hour of 10:00 a.m., at the Kneip Building, Conference Room 3, 700 Governors Drive, Pierre, South Dakota, on the Application of First State Bank of Roscoe (the "Applicant") to Establish a Branch Bank Located at 605 J Avenue, Eureka, South Dakota 57437.

This hearing is held in accordance with SDCL 51A-3-10, following the December 23, 2015, Director's Decision and Order disapproving the application and the Applicant's request for hearing dated January 4, 2016.

This hearing is held in accordance with SDCL 51A-2-16, SDCL 51A-3-10, and SDCL 1-26.

At the hearing the Commission shall take testimony and receive evidence to determine if the Applicant has satisfied the criteria in SDCL 51A-3-9 for approval of the branch application and, following the hearing, the Commission shall issue its findings of fact, conclusions of law, and decision. The decision of the Commission will determine if the Applicant is authorized under the applicable laws of the State of South Dakota to establish a branch bank in Eureka, South Dakota, as requested by the Applicant in its application.

The hearing is an adversary proceeding. A party has the right at the hearing to be present and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing.

At the request of the Commission, the South Dakota Office of Hearing Examiners, Ryan Darling, Examiner, will conduct the contested case, and rule on procedural evidence and other matters raised by the parties in accordance with SDCL 1-26D-11. A written transcript will be made of the proceedings. If the amount in controversy exceeds Two Thousand Five Hundred Dollars (\$2,500.00) or if a property right may be terminated, any party to a contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten (10) days after service of this Notice of Hearing issued pursuant to SDCL 1-26-17.

The decision based upon the hearing may be appealed to the Circuit Court and the State Supreme Court as provided by law.

DATED: February 5, 2016.



Curtis S. Jensen
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CERTIFICATE OF SERVICE

I hereby certify that on the date shown below I served copies of the foregoing Notice of Hearing upon the following named persons, who are Parties to this proceeding, by placing the same in the United States mail, postage prepaid, addressed as follows:

Susan E. Barnes
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Mary Jo Grismer, CEO
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and upon the following named persons, who are Not Parties to this proceeding who commented upon the Application pursuant to SDCL 51A-2-16, by placing the same in the United States mail, postage prepaid, addressed as follows:

Jacalyn Eberhart
Eureka Development Company
11925 320th Avenue
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which addresses are the last addresses of the addressees known to the subscriber.

DATED: February 5, 2016.



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