

SUPREME COURT DECISIONS

PEND OREILLE VIEW ESTATES OWNERS' ASSOCIATION, INC v. T.T. LLC
No. 42538
Release date November 1, 2016
Idaho Supreme Court

EISMANN, Justice

The Idaho Supreme Court affirmed the judgment of the district court. This is an appeal out of Bonner County upholding money judgments against lot owners in phase two of a subdivision for assessments made for the cost of paving a road across phase one of the subdivision that provides access from the county road to phase two. The Court affirmed the judgment of the district court.

<http://www.isc.idaho.gov/opinions/42538.pdf>

BEATRICE L. SHATTO v. SYRINGA SURGICAL CENTER, LLC
No. 42958
Release date November 1, 2016
Idaho Supreme Court

EISMANN, Justice

The Idaho Supreme Court affirmed the judgment of the district court. This is an appeal out of Nez Perce County from a summary judgment in favor of the Defendant, Syringa Surgical Center, LLC, in a medical malpractice action. The Court affirmed the judgment of the district court.

<http://www.isc.idaho.gov/opinions/42958.pdf>

BURNS CONCRETE, INC. v. TETON COUNTY
No. 43527
Release date November 1, 2016
Idaho Supreme Court

EISMANN, Justice

The Idaho Supreme Court vacated the judgment of the district court. This is an appeal out of Teton County from a judgment holding that the force majeure clause in a written contract between the county and a developer did not apply to the developer's failure to obtain zoning approval in order to construct the cement plant required in the agreement.

Summary of Supreme Court and Court of Appeals Published Opinions

October 19 – November 1, 2016

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The Court held that the force majeure clause was broad enough to apply, vacated the judgment of the district court, and remanded this case for further proceedings.

<http://www.isc.idaho.gov/opinions/43527.pdf>

BETTY S. HARPER v. PHED INVESTMENTS, LTD.

No. 42864

Release date November 1, 2016

Idaho Supreme Court

EISMANN, Justice.

The Idaho Supreme Court affirmed the order of the Industrial Commission. This is an appeal by a claimant for unemployment benefits from a decision and order of the Industrial Commission holding that she was not entitled to benefits because she was terminated for cause. The Court affirmed the decision of the Commission.

<http://www.isc.idaho.gov/opinions/42864.pdf>

CITY OF SANDPOINT v. INDEPENDENT HIGHWAY DISTRICT

No. 42517

Release date November 1, 2016

Idaho Supreme Court

J. JONES, Chief Justice

The Supreme Court invalidated an agreement between the City of Sandpoint and the Independent Highway District in Bonner County, wherein the City assumed all responsibility for maintenance and control of city streets together with the right to the highway district's one-half share of all highway ad valorem taxes collected within city limits. The Court held that the agreement violated the legislative requirements for maintenance of city streets located within the boundaries of the highway district and that the agreement did not conform to the requirements set out by the Legislature for a joint powers agreement under Idaho Code section 67-2328.

<http://www.isc.idaho.gov/opinions/42517.pdf>

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IDAHO DEPARTMENT OF HEALTH AND WELFARE v. JOHN DOE (2016-27)
No. 44285
Release date November 1, 2016
Idaho Supreme Court

HORTON, Justice.

In an appeal from Boundary County, the Supreme Court affirmed the magistrate court's judgment terminating John Doe's parental rights to his son, J.M. The Court concluded that the magistrate court did not abuse its discretion when it denied Doe's motion to disqualify the magistrate judge because Doe failed to show prejudice or improper bias. The Court disregarded Doe's claims of evidentiary error because Doe failed to argue the alleged errors affected his substantial interests. The Court determined Doe's claims that the magistrate court improperly considered matters outside of the record were without merit or not supported by argument or authority. Finally, the Court concluded that there was substantial and competent evidence in the record to support the magistrate court's decision.

<http://www.isc.idaho.gov/opinions/44285.pdf>

DAVID SAMPLES v. RAY W. HANSON
No. 41869
Release date November 1, 2016
Idaho Supreme Court

J. JONES, Chief Justice

The Supreme Court vacated a summary judgment entered in favor of Dr. Hanson in this Bingham County medical malpractice case. The Court in a 3-2 decision ruled that the district court erred in concluding that the Samples' medical expert had failed to familiarize himself with the applicable standard of medical care practice.

<http://www.isc.idaho.gov/opinions/41869.pdf>

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STATE OF IDAHO v. ROBERT DEAN HALL
No. 43874
Release date November 1, 2016
Idaho Supreme Court

EISMANN, Justice.

The Idaho Supreme Court affirmed the judgment of the district court. This is an appeal out of Ada County from a judgment of conviction for the crime of murder in the second degree. The primary issue on appeal is whether the district court properly instructed the jury on the issue of self-defense. The Court held that the district court did and affirm the judgment of conviction.

<http://www.isc.idaho.gov/opinions/43874.pdf>

COURT OF APPEALS DECISIONS

STATE OF IDAHO v. DANIEL JENSEN
No. 43356
Release date October 17, 2016
Idaho Court of Appeals

GRATTON, Judge

Daniel Jensen appeals from his judgment of conviction for poisoning food, medicine, or wells, a felony under Idaho Code § 18-5501. Jensen was originally charged with attempted first degree murder for putting poison in his mother's coffee. Idaho Code § 20-509 operates to automatically waive minors between the ages of fourteen and eighteen into adult court for certain enumerated crimes, including attempted first degree murder. Jensen was, thus, automatically waived into adult court. On appeal, Jensen argues the district court erred by denying his motions to declare I.C. § 20-509 unconstitutional and to suppress statements he made to law enforcement. The Court held that Jensen has failed to establish that I.C. § 20-509 violates the Eight Amendment prohibiting cruel and unusual punishment or the Fourteenth Amendment's due process clause. Jensen failed to show the district court erred in denying his motion to suppress statements he made prior to and after his arrest. Affirmed.

<http://www.isc.idaho.gov/opinions/43356.pdf>

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STATE OF IDAHO v. LDONNA MARIE YOUMANS
No. 42795
Release date October 18, 2016
Idaho Court of Appeals

GRATTON, Judge

Ldonna Marie Youmans appeals from her judgment of conviction after a jury found her guilty of burglary, attempted burglary, and misdemeanor possession of a controlled substance. Specifically, Youmans argues: (1) the district court erred by admitting certain testimony into evidence; (2) there was insufficient evidence to support her conviction of possession of a controlled substance; (3) the district court imposed an excessive sentence; and (4) the district court was without jurisdiction to supplement the record and to make factual findings after Youmans filed a timely notice of appeal. The court affirmed items 1-3 and vacated the district court's order to supplement the record and strike from the record all legal filings, evidence offered, and findings made by the district court, in regard to the prosecutorial misconduct allegation, after the notice of appeal was filed.

<http://www.isc.idaho.gov/opinions/42795.pdf>