

COEUR D'ALENE, WEDNESDAY, SEPTEMBER 17, 2025, AT 8:50 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

In the Matter of the Estate of:)	
Glenna Mae Wylie-Nelson, Deceased.)	
-----)	
LARRY T. NELSON,)	
)	Docket No. 52008
Petitioner-Appellant,)	
)	
v.)	
)	
LESLIE H. WYLIE, TERESE L. WYLIE, and)	
SHANELLE R. WYLIE, Co-Personal)	
Representatives of the Estate of Glenna Mae)	
Wylie-Nelson,)	
)	
Respondents-Respondents on Appeal.)	
_____)	

Appeal from the District Court of the First Judicial District of the State of Idaho,
Bonner County. Susie D. Jensen, District Judge.

Riverside NW Law Group PLLC, Spokane, Washington, for Appellant.

Lake City Law Group PLLC, Sandpoint, for Respondents Terese L. Wylie and
Shanelle R. Wylie

Finney Finney & Finney, PA., Sandpoint, for Respondent Leslie H. Wylie.

This appeal concerns the jurisdiction of a district court to determine whether a widower has a community property interest in a marital home that was separate property during the marriage. Glenna Mae Wylie-Nelson passed away in 2022 after 35 years of marriage to Larry Nelson. In her last will and testament, Glenna Mae gave Larry a life estate in their home with a remainder in the property to her son, Leslie. The will also provided an option to sell the property with the consent of Larry and Leslie.

Larry sought to sell the home, but Leslie declined. Larry filed a petition for judicial proceedings under the Trust and Estate Dispute Resolution Act (“TEDRA”), seeking to “recover the value of his community-property portion of the Property.” Larry claimed that community property funds were applied to maintenance, improvements, and the payment of property taxes during the marriage, and requested a partition by sale to compensate him for his community property portion.

After a hearing and the filing of motions by Larry, Leslie, and the estate, the district court determined it lacked jurisdiction under TEDRA to hear the matter and dismissed Larry's action. The district court then awarded the estate attorney fees under TEDRA and Idaho Code section 12-121. Larry timely appealed.

On appeal, Larry argues the district court had jurisdiction to hear his claims under TEDRA. Accordingly, the district court improperly denied him leave to amend his complaint, dismissed his action, , and granted attorney fees to Leslie. Leslie argues that Larry's cause of action falls outside the scope of TEDRA and that the district court was correct. The estate argues that Larry should have brought his claim for reimbursement through a probate proceeding instead of a TEDRA claim. Leslie and the estate seek attorney fees on appeal. Larry seeks attorney fees from the district court should he prevail in this appeal and the underlying TEDRA action.