

## SUMMARY STATEMENT

*Renee L. Baird-Sallaz and Jeremy J. Gugino. v. Dennis J. Sallaz* – Docket No. 41301

In a case arising out of Ada County, the Idaho Supreme Court affirms the decision of the district court sitting in its capacity as an intermediate appellate court. Plaintiff Renee Baird-Sallaz (Plaintiff) and Defendant Dennis Sallaz (Defendant) were married in Oregon in 1996. In 2004, Plaintiff filed for divorce in the magistrate's division of district court. The magistrate court granted the divorce in 2005, and conducted a subsequent trial regarding the division of property and debt, issuing its findings of fact and conclusions of law in 2007. After several post-trial motions, the magistrate court entered an amended order in 2012 settling the property and debt issues. Defendant appealed for the district court to remand the case back to the magistrate division for purposes of determining the validity of the marriage. The district court found Defendant's challenge to be untimely and that the issue was improperly raised for the first time on appeal. Before this Court, Defendant appealed the district court's intermediate appellate decision regarding the division of property, claiming that the magistrate court lacked subject matter jurisdiction to determine and divide the parties' property because there was no marriage. This Court affirms the district court's appellate decision.