

## SUMMARY STATEMENT

*Melton v. Alt*, Docket No. 44768

In an appeal arising out of Boundary County, Appellant, Jadwiga Melton (“Jadwiga”), challenged a district court’s determination that Respondent, Heinz Alt (“Heinz”), filed a timely claim against the Estate of Robert Ernest Melton (“Robert”) and Hedwig Melton (“Hedy”). Hedy died in 2008, and in 2010 Robert married Jadwiga. In 2013, Robert died. Jadwiga commenced joint probate proceedings for both Hedy and Robert, pursuant to Idaho Code section 15-3-111, because Hedy’s will was never probated. Heinz filed a creditor claim against the estate alleging that he loaned money to Hedy and Robert to build a home and in exchange they agreed to execute wills that would leave their estate to him. Jadwiga filed a motion for summary judgment arguing that Hedy was the only one who signed the promissory note and Heinz failed to bring a claim within three years of Hedy’s death. The magistrate court determined that, because Heinz failed to bring the claim against Hedy’s estate within three years of her death, his claim was barred by Idaho Code section 15-3-803. Heinz appealed and the district court reversed the magistrate court, holding that Heinz’s claim was timely, pursuant to Idaho Code section 15-3-111, because Heinz brought his creditor claim within three years of Robert’s death.

In a unanimous decision, the Idaho Supreme Court reversed and remanded the district court’s decision. Specifically, the Court held that the district court erred when it construed Idaho Code section 15-3-111 to extend the timeframe to bring a creditor claim against the estate of the first spouse to die. As a result, the Court determined that any claim against Hedy’s estate was barred pursuant to Idaho Code section 15-3-803(a), because Heinz failed to bring a claim within three years of Hedy’s death. However, the Court found that Heinz’s claim against Robert’s estate was not time-barred, and so the case was remanded for further proceedings with respect to claims against Robert’s estate.