

## SUMMARY STATEMENT

*Haight v. ITD*, Docket No. 44863

In an appeal arising out of Shoshone County, appellant, Dea Haight, (“Haight”) appealed a district court’s order granting respondent Idaho Department of Transportation’s (“ITD”) motion for summary judgment, and dismissing her complaint for damages and injunctive relief.

Haight alleged that the Idaho Department of Transportation was negligent in placing and maintaining construction barrels on Interstate 90 in Shoshone County, Idaho. In addition to her negligence claim, Haight alleged portions of Idaho’s motorcycle and driver’s manuals published by the State misrepresent the law and prescribe standards which present a danger to motorists. The district court concluded that Haight failed to present sufficient evidence to support her negligence claim and that she lacked standing to bring a declaratory judgment action against ITD. Haight alleged the trial court erred.

In a unanimous decision, the Idaho Supreme Court affirmed the trial court’s dismissal of Haight’s case and determined that the appeal was frivolous because her claims were not well grounded in fact nor were they warranted by existing law and awarded sanctions pursuant to Idaho Appellate Rule 11.2 against G.W. Haight for costs and attorney fees incurred by respondent ITD.