

SUMMARY STATEMENT
Safaris Unlimited, LLC v. Jones
Case No. 44914

This appeal came from the Twin Falls County district court. In January 2017, a jury in that court found that an enforceable contract bound Mike Von Jones to pay Safaris Unlimited, LLC, (Safaris) \$26,040 for a 2012 big game hunt Jones went on in Zimbabwe, Africa. After the jury's verdict, Safaris was awarded attorney fees plus interest on the judgment, bringing the judgment against Jones to \$122,984.82. Safaris obtained a writ of execution in June 2017 and attended the sheriff sale as the only bidder. At the sale, Safaris purchased a pending lawsuit arising from Jones's business venture by making a \$2,500 credit bid. Jones was later successful in moving to vacate the sale.

Jones appealed three issues from the jury trial: (1) the admission of a handwriting exemplar; (2) certain statements made by the district court concerning the handwriting exemplar, which Jones contends violated his procedural due process rights; and (3) a jury instruction on agency law. Safaris cross appealed the district court's decision to vacate the sheriff sale.

The Idaho Supreme Court affirmed in part, vacated in part, and remanded. The Court affirmed the district court's rulings on the three issues Jones raised, holding specifically that: (1) the district court properly admitted the handwriting exemplar so as to allow the jury to determine whether certain exhibits contained Jones's authentic signature; (2) the district court did not violate Jones's procedural due process rights by making certain statements to Jones concerning the handwriting exemplar; and (3) Jones failed to preserve his jury instruction argument for appeal. As to Safaris's cross appeal of the district court's decision to vacate the sheriff sale, the Court concluded the district court failed to properly apply the governing law by not making a sufficient factual finding. Therefore, the Court vacated the district court's decision to set aside the sheriff sale and remanded the case for further proceedings consistent with its opinion.