

SUMMARY STATEMENT

Galvin v. City of Middleton

Docket No. 45578

The Supreme Court affirmed the Canyon County district court's grant of summary judgment to the Galvins on their prescriptive easement claim and its award of attorney's fees to them. The Supreme Court held that the district court correctly concluded that the Galvins did not abandon their easement by participating in the rezoning process, because their use of the road through the easement did not change. The Supreme Court also held that the district court did not abuse its discretion in awarding attorney's fees to the Galvins. The Galvins were awarded attorney's fees and costs on appeal.