

## **SUMMARY STATEMENT**

*Yu v. Idaho State University*, Docket. No. 46364

The Supreme Court affirmed the dismissal of plaintiff Yu's claims for untimeliness because they were barred by applicable statutes of limitation. Yu was dismissed from Idaho State University's doctoral program for clinical psychology on October 2, 2013. He subsequently filed a lawsuit in the U.S. District Court for the District of Idaho alleging violations of Title VI of the Civil Rights Act, deprivation of constitutional rights under 42 U.S.C. section 1983, negligent infliction of emotional distress, and breach of contract. Most of these claims were dismissed from the federal district court because the Eleventh Amendment provided ISU with immunity from suit and Yu failed to name any state officials in his complaint. Yu then filed the dismissed claims in state court. However, because Yu brought the claims roughly four and a half years after his injury occurred, his claims were untimely and barred by the applicable statutes of limitation for his federal 42 U.S.C. section 1983 claims (two years) and implied contract claims (four years).