

SUMMARY STATEMENT

Dodge v. Bonners Ferry Police Department

Docket No. 46696

In this appeal, the Idaho Supreme Court affirmed the Boundary County district court's dismissal of Shane R. and Christine L. Dodges' tort claim against the Bonners Ferry Police Department, Sergeant William Cowell, and Officer Brandon Blackmore. The Court held that dismissal of the Dodges' tort claim was proper because they failed to file notice of a tort claim with the police department or the city within the 180-days period as is required by the Idaho Tort Claims Act. While the Dodges argued the act of filing a complaint in district court was sufficient to provide notice of their tort claim to the police department, the Court disagreed. The Court also held that the district court did not abuse its discretion in denying the Dodges' motion for a continuance because the district court recognized the Dodges would not be able to remedy their failure to file notice of a tort claim, even if given additional time. Accordingly, the Court affirmed the district court's order dismissing the Dodges' tort claim.