

SUMMARY STATEMENT

Medrain v. Lee, Docket No. 46819

The Idaho Supreme Court affirmed a district court's determination that Jade Lee and Golden China, LLC failed to timely appeal a magistrate court's judgment. The magistrate court entered a judgment awarding Brian Medrain dba Excellence Heating and Cooling ("Medrain") damages in a breach of contract against defendants Bing Lee, Jade Lee, and Golden China, LLC. Bing, who is not a lawyer, filed a timely notice of appeal to the district court naming all three defendants; however, the notice of appeal was only signed by Bing as the appellant; neither Jade nor the attorney representing the defendants ever signed the notice of appeal. About ten months later the defendants retained new counsel who filed an amended notice of appeal on behalf of all three defendants. The district court held Jade and Golden China, LLC did not properly appeal the magistrate court's judgment and dismissed them from the case.

The Idaho Supreme Court affirmed, holding that Bing could not file a pro se notice of appeal on behalf of Jade or Golden China, LLC. Jade and Golden China, LLC were represented by counsel at the time and counsel did not file a timely appeal on their behalf. The Court also held that the amended notice of appeal could not relate back to Bing's original filing under Idaho Appellate Rule 17(m) because it was seeking to add parties to Bing's notice of appeal, rather than simply adding information or additional facts.