

SUMMARY STATEMENT
Safaris Unlimited LLC v. Jones
Docket Nos. 46961 and 47245

Mike Von Jones (“Jones”) appealed the denial of his motion to set aside a sheriff’s sale of his pending litigation and the award of attorney fees to Safaris Unlimited LLC (“Safaris”) under Idaho Code section 12-120(5). Jones argued that: (1) the district court erred because Jones’s monetary tender to the clerk of the court mooted a previous appeal in this case and precluded Safaris from claiming ownership of Jones’s pending lawsuit; (2) the district court abused its discretion by denying his motion to set aside the sheriff’s sale; and (3) the district court erred in awarding costs and fees pursuant to section 12-120(5) for actions taken after Jones’s tender to the clerk.

The Idaho Supreme Court affirmed the district court’s orders. The Court held: (1) the law of the case doctrine barred Jones’s attempt to litigate the mootness of a prior appeal in this case; (2) the district court acted consistently with relevant legal standards when it held that Jones failed to provide sufficient evidence to establish the approximate value of his pending litigation; and (3) the district court did not abuse its discretion in awarding Safaris reasonable attorney fees pursuant to Idaho Code section 12-120(5).

This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.