

BOISE, FRIDAY, APRIL 5, 2024, at 8:50 A.M

**IN THE SUPREME COURT OF THE STATE OF IDAHO
Docket No. 51314**

ROBERT TIMOTHY MURRAY and)
TEENA MARIE MURRAY, husband)
and wife,)
)
Petitioners-Counterdefendants-)
Respondents)
)
v.)
)
ALAYNA A. DALTON, biological)
Mother of Minor Child,)
)
Respondent-Counterclaimant-)
Appellant.)
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Appeal from the District Court of the Fifth Judicial District of the State of Idaho,
Cassia County, Magistrate Division. Blaine Cannon, Magistrate Judge.

Josheph T. Preston, Echo Hawk & Olsen, PLLC, Pocatello, for Appellant.

Peter M. Wells, May, Rammell & Wells, CHTD, Pocatello, for Respondent.

This appeal arises from a magistrate court order denying the petition of Alayna Dalton, the biological parent of Minor Child, to terminate Teena and Tim Murray’s guardianship over Minor Child. Dalton argues that the lower court’s decision was not based on substantial evidence of her unfitness as a parent, and that several of Idaho’s guardianship laws unconstitutionally infringe on the fundamental rights of parents. Dalton also argues that the lower court failed to recognize that the Murrays’ alienating behaviors impacted Minor Child’s welfare and the fundamental parent-child relationship. Dalton asks this Court to reverse the decision of the magistrate court denying her petition and dismiss the case.