

BOISE, MONDAY, JUNE 8, 2020 AT 11:10A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

KIRBY VICKERS,

Plaintiff-Appellant,

v.

**IDAHO BOARD OF VETERINARY
MEDICINE; JODY ROCKETT, DVM, in her
official capacity as Board Member of Idaho Board
of Veterinary Medicine; B. MATTHEW
DREDGE, DVM, in his official capacity as Board
Member of Idaho Board of Veterinary Medicine;
JEFF HEINS, DVM, in his official capacity as
Board Member of Idaho Board of Veterinary
Medicine; WILLIAM J. MAUPIN, DVM, in his
official capacity as Board Member of Idaho Board
of Veterinary Medicine; ROBERT N. PIERCE,
DVM, in his official capacity as Board Member of
Idaho Board of Veterinary Medicine; KATHY
SIMPSON, in her official capacity as Board
Member of Idaho Board of Veterinary Medicine,**

Defendants-Respondents.

Docket No. 47270

Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Nancy Baskin, District Judge.

Arkoosh Law Offices, Boise, for Appellant.

Lawrence G. Wasden, Idaho Attorney General, Boise, for Respondents.

On March 5, 2018, Kirby Vickers wrote a letter to the Board of Veterinary Medicine, alleging circumstances of negligence as well as statutory and ethical violations by his prior veterinarian Dr. Kelly Collins. The Board conducted an investigation, concluded no violations occurred, and closed the case. Vickers then filed a civil suit in the district court, arguing that the Board improperly dismissed his complaint without a hearing. The Board filed a motion to dismiss under Idaho Rule of Civil Procedure 12(b)(1), which the district court granted for lack of subject-matter jurisdiction. Vickers appeals, arguing that this was in error because his letter to the Board was a complaint that initiated a contested case under Idaho's Administrative Procedure Act and that he is an aggrieved party.