

**BOISE, WEDNESDAY, APRIL 14, 2021, AT 8:50 A.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

<b>ADA COUNTY,</b>	)	
	)	
<b>Plaintiff-Respondent,</b>	)	
	)	
<b>v.</b>	)	<b>Docket No. 47984</b>
	)	
<b>PHILLIP BROWNING,</b>	)	
	)	
<b>Defendant-Appellant,</b>	)	
	)	
<b>and</b>	)	
	)	
<b>CONSOLIDATED SUPPLY CO., IDAHO</b>	)	
<b>STATE TAX COMMISSION,</b>	)	
<b>WILMINGTON SAVINGS FUND</b>	)	
<b>SOCIETY, FSB, as Trustee of Stanwich</b>	)	
<b>Mortgage Trust A,</b>	)	
	)	
<b>Defendants.</b>	)	
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Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Steven Hippler, District Judge.

Idaho Injury Law Group, PLLC, Boise, Idaho, attorneys for Appellant.

Ada County Prosecutor's Office, Boise, Idaho, attorneys for Respondent.

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This case concerns the district court's refusal to award Appellant Phillip Browning attorney fees under Idaho Code section 12-117. The district court found Respondent Ada County ("the County") acted reasonably because the County presented an issue of first impression—whether medical indigency liens arising under Idaho Code section 31-3504(4) are subject to a statute of limitations. Browning appeals, arguing the district court abused its discretion when it declined awarding him attorney fees because the County's arguments were either not a matter of first impression or, if they were, the County's arguments were without a reasonable basis in fact or law.