BOISE, MONDAY, DECEMBER 5, 2016 AT 8:50 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

G. LANCE SALLADAY, as Personal Representative for, and on behalf of, the Estate of Roger John Troutner,	)	
Plaintiff-Respondent,	)	
v.	)	
ERIC BOWEN and KATHRYN BOWEN, husband and wife,	)	**Docket No. 43603**
Defendants-Appellants,	)	
and	)	
CALDWELL LATERAL IRRIGATION DISTRICT,	)	
Defendant.	)	

Appeal from the District Court of the Third Judicial District, State of Idaho, Canyon County. Hon. Molly J. Huskey, District Judge.

O'Conner Law, PLLC, Boise, for appellants.

Strother Law Office, Boise, for respondent.

Eric and Kathryn Bowen (Bowens) purchased property located at located at 615 E. Chicago Street, Caldwell, Idaho, through a tax deed sale conducted by the Caldwell Irrigation Lateral District (CILD). G. Lance Salladay, Personal Representative of the Estate of Roger Troutner (the Estate), brought suit arguing that the sale was void because the Estate, as an entity with a recorded interest, was entitled to notice of the sale and never received such notice. The Canyon County District Court ruled that the Estate was entitled to notice and that since it had not received notice of the sale there was no final decision regarding issuance of the deed as required by Idaho Code section 43-719(2). The district court then remanded the case to CILD. On appeal, Bowens argue that the district court erred in its determination that the Estate was entitled to notice and that even if the Estate was entitled to notice, the Estate's petition to the district court was untimely under Idaho Code section 43-719(4).

BOISE, MONDAY, DECEMBER 5, 2016 AT 10:00 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

MICHAEL SCOTT MOLEN,	)	
	)	
Plaintiff-Appellant,	)	
	)	
v.	)	**Docket No. 43755**
	)	
RONALD D. CHRISTIAN,	)	
	)	
Defendant-Respondent.	)	
	)	

Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Hon. Lynn G. Norton, District Judge.

Massoth & Burrows, Payette, for appellant.

Points Law, PLLC, Boise, for respondent.

In a case arising out of Ada County, Michael Scott Molen ("Molen") appeals from a district court's summary judgment dismissal of his legal malpractice action. Molen filed suit against Respondent Ronald Christian ("Christian") asserting legal malpractice and breach of contract arising from a criminal lawsuit in which Christian represented Molen.

On June 22, 2007, Molen was convicted of lewd conduct with a minor. He filed a petition for post-conviction relief, which was granted on June 17, 2014. On February 17, 2015, Molen filed the lawsuit against Christian from which this appeal arises. The district court granted Christian's motion for summary judgment finding that Molen's cause of action accrued upon his conviction in 2007 and was therefore barred by the two-year statute of limitations. Molen appeals the district court's decision, arguing that the Idaho Supreme Court should adopt an exoneration rule and hold that his cause of action against Christian did not accrue until he obtained post-conviction relief in 2014.

BOISE, MONDAY, DECEMBER 5, 2016 AT 11:10 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

R. GORDON SCHMIDT,	)	
Plaintiff-Appellant,	)	
v.	)	**Docket No. 43620**
TIM HUSTON,	)	
Defendant-Respondent.	)	

Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Hon. Richard D. Greenwood, District Judge.

Angstman Johnson, Boise, for appellant.

Points Law, PLLC, Boise, for respondents.

This is an appeal from the district court's entry of judgment dismissing R. Gordon Schmidt's claims for the equitable relief of contribution and subrogation. Appellant Schmidt sued the respondent, Tim Huston, seeking to recover a portion of the amount he paid to satisfy a debt that both had personally guaranteed. Following a bench trial, the district court determined that it would be inequitable for Mr. Schmidt to recover anything from Mr. Huston. As such, the district court held that neither the equitable remedy of contribution nor subrogation would be given. On appeal, Mr. Schmidt assigns as error the entry of judgment and denial of relief. Specifically, Mr. Schmidt argues that the district court failed to correctly apply common law principles of suretyship, that the court erred in concluding it would be inequitable to allow recovery, and that the court erred in not finding a right of contribution or subrogation. In response, Mr. Huston argues that the principles in question are equitable, and thus discretionary.