

**BOISE, MONDAY, APRIL 10, 2023, AT 10:00 A.M.**

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

**SUSAN MARIE HOUSTON, personal )  
representative of the estate of Richard )  
Allen Houston. )**

**Petitioner-Appellant, )**

v. )

**Docket No. 49572**

**RYAN ALLEN HOUSTON & )  
CRYSTAL LEE SEIGLER, )**

**Respondents. )**

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Appeal from the District Court of the Fifth Judicial District of the State of Idaho, Twin Falls County. Honorable Roger B. Harris, District Judge.

Parsons Behle & Latimer, Idaho Falls, and Canyon River Law, LLP, Twin Falls attorneys for Appellant.

Morris Bower & Haws PLLC, Boise, attorney for Respondent.

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This appeal centers on the district court’s partial reversal of the decision from the magistrate court involving a petition for probate. Following the death of Richard Houston (“Richard”), Susan Houston (“Susan”) petitioned to determine the validity of the power of appointment set forth in Richard’s will and to order the trustee of the will to honor the power of appointment. After objection from Crystal Siegler (“Crystal”) and Ryan Houston ("Ryan"), the case was heard before the magistrate court, which determined that the power of appointment contained in Richard’s Last Will and Testament was valid. Ryan and Crystal appealed the decision to the district court, which determined that the power of appointment was valid as to specific portions of the Will; however, as it related to the Marital Trust given to Richard by his father Robert Houston (“Robert”), the power of appointment was not valid. The district court filed its decision on appeal affirming in part and reversing in part the judgement of the magistrate court. Susan now timely appeals.