

LEWISTON, THURSDAY, APRIL 20, 2023, AT 8:50 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

JOHN BRADBURY,)	
)	
Petitioner-Appellant,)	
)	
v.)	Docket No. 49667
)	
CITY OF LEWISTON,)	
a municipal corporation,)	
)	
Respondent.)	

Appeal from the District Court of the Second Judicial District of the State of Idaho, Nez Perce County. Richard D. Greenwood, Senior District Judge.

John Bradbury, Lewiston, Appellant Pro Se.

Clements, Brown & McNichols, PA, Lewiston, for Respondent.

Petitioner John Bradbury alleges that the City of Lewiston has been collecting excessive fees from its residents and improperly spending its funds. He raised nine causes of action in his petition before the district court, which alleged multiple violations of Idaho law and the Idaho Constitution. The district court agreed with Bradbury on one claim. It concluded that the City's use of sanitation and wastewater funds to repair city streets was an illegal tax and a violation of Article VIII, section 3 of the Idaho Constitution. The remaining causes of action were found either to be lawful or non-justiciable, and were dismissed with prejudice following cross-motions for summary judgment.

On appeal, Bradbury challenges the dismissal of his other claims and raises additional errors for appellate review. These include: (1) whether the City violated Idaho law and the state constitution through the use of interdepartmental loans and in making donations to private entities; (2) whether Bradbury had standing to challenge the City's allocation of irrigation water to a municipally-owned golf course; (3) whether the City's ratepayers are entitled to a refund of unlawfully collected fees; (4) whether certain evidentiary exhibits should have been barred as privileged materials; and (5) whether Bradbury should have been awarded attorney fees by the district court.