

**BOISE, WENDESDAY, APRIL 2, 2025, AT 8:50 A.M.**

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

**LISA SÁNCHEZ, an individual,**

**Plaintiff-Appellant,**

**v.**

**CITY OF BOISE, a municipality and/or  
political subdivision in Ada County, State of  
Idaho,**

**Defendant-Respondent.**

**Docket No. 51263**

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Appeal from the District Court of the Fourth Judicial District of the State of Idaho,  
Ada County. Derrick O'Neill, District Judge.

Stoel Rives, LLP, Boise, for Appellant.

Jones Williams Fuhrman Gourley, PA, Boise, for Respondent.

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This civil appeal asks if, under Idaho Code section 59-901(1)(e), a councilmember vacates their seat on the Boise City Council when they inadvertently move to another District, and therefore cease to be a resident of the District where they were elected.

Idaho Code section 59-901 provides that “Every elective civil office shall be vacant upon the happening of any of the following events at any time before the expiration of the term of office, as follows: (e) The incumbent ceas[es] to be a resident of the state, district or county in which his office are to be exercised, or for which he may have been elected.” I.C. § 59-901(1)(e). In 2021, Lisa Sánchez was re-elected to serve a two-year term on the City Council to represent District 3. During her term, Sánchez briefly and unintentionally moved into a rental home which was not in District 3. The office of the Boise City Mayor promptly informed Sánchez that her home was not within District 3 and determined that she was no longer a sitting member of the City Council as a result. After moving back into a residence within District 3, Sánchez applied for reappointment to the City Council. When the Mayor opted not to reappoint her, she filed a complaint against the

City in district court. The City moved for judgment on the pleadings pursuant to Idaho Rule of Civil Procedure 12(c), which the district court granted.

Sánchez timely appeals and argues that the district court erred in: (1) finding the plain language of Idaho Code section 59-901 applies to cities; (2) Sánchez automatically vacated her seat despite inadvertently and unintentionally residing outside of District 3; and (3) dismissing her procedural due process claims.