

BOISE, FRIDAY, APRIL 17, 2026 AT 8:45 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

PETER STEVEN LERIGET,)
)
 Plaintiff-Appellant,)
)
 v.)
)
 THE ROMAN CATHOLIC DIOCESE OF)
 BOISE, and ST. MARY'S CATHOLIC)
 CHURCH,)
)
 Defendants-Respondents.)
)

Docket No. 52551

Appeal from the District Court of the Second Judicial District of the State of Idaho, Latah County. John Judge, District Judge and Megan Marshall, District Judge.

James Vernon & Weeks, PA, Coeur d'Alene, for Appellant.

Cosho Humphrey, LLP, Boise, for Respondents.

Steven Leriget appeals the district court's order granting summary judgment in favor of the Roman Catholic Diocese of Boise and St. Mary's Catholic Church (collectively the "Respondents") on Leriget's constructive fraud claim. Leriget alleges that in 1968, when he was nine-years old, he was sexually assaulted by Father Patrick O'Sullivan in his family home. Father O'Sullivan served as a priest at St. Mary's Catholic Church ("St. Mary's") in Moscow, Idaho, where Leriget's family attended church and where Leriget went to school. The Roman Catholic Diocese of Boise (the "Diocese") owns St. Mary's and assigned Father O'Sullivan to the parish.

Leriget filed a claim of constructive fraud against the Respondents on March 16, 2021. To establish constructive fraud, a plaintiff must prove by clear and convincing evidence that there is a relationship of trust and confidence, along with the following seven elements: (1) "a statement or a representation of fact", (2) "its falsity", (3) "its materiality", (4) "the hearer's ignorance of the falsity of the statement", (5) "reliance by the hearer", (6) "justifiable reliance", and (7) "resultant injury." *Doe v. Boy Scouts of Am.*, 159 Idaho 103, 108-09, 356 P.3d 1049, 1054-55 (2015). On July 1, 2022, the Respondents filed a motion for summary judgment, which the district court granted, concluding that Leriget cannot establish the existence of a relationship of trust nor a false representation or statement of fact without violating the free exercise clause of the First Amendment.

On appeal, Leriget asserts that a relationship of trust and confidence existed between him and the Respondents based on the Diocese's position of authority and influence over him as a student and participant in Diocese-led activities. He argues that the Diocese endorsed Father O'Sullivan as a trustworthy figure with spiritual authority, which created a power dynamic that Father O'Sullivan took advantage of to abuse Leriget. He also contends that the Respondents knew

of the history of sexual abuse by certain priests within the Catholic Church but concealed the dangers of pedophile priests. Finally, Leriget asserts that finding the existence of a duty does not violate the First Amendment, because courts need not question the theological soundness of Catholic tenets, just whether the Respondents held themselves out in a way that led Leriget to place trust and confidence in his relationship with the church.

The Respondents maintain that Leriget is unable to establish a relationship of trust and confidence with the church that goes beyond that of a general parishioner and church. As such, any relationship is based solely on church doctrines and religious beliefs, which violates the First Amendment. Further, the Respondents argue that Leriget only points to false representations which refer to religious beliefs, so adjudication would also run afoul of the First Amendment. Finally, the Respondents contend that the Diocese had no notice of any abuse allegations by a priest until 1985, years after the abuse at issue here, and that general knowledge of sexual abuse within the Catholic church is insufficient.