

**BOISE, WEDNESDAY, FEBRUARY 18, 2025 AT 8:45 A.M.**

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

<b>STATE OF IDAHO,</b>	)
	)
<b>Plaintiff-Respondent,</b>	)
	)
<b>v.</b>	)
	)
<b>RILEE ANN LUTZ,</b>	)
	<b>Docket 52554</b>
<b>Defendant-Appellant.</b>	)
	)
	)
<b>and</b>	)
	)
<b>BART HESLINGTON, Sheriff, Bear</b>	)
<b>Lake County,</b>	)
	)
<b>Real Party in Interest-</b>	)
<b>Respondent.</b>	)
	)

Appeal from the District Court of the Sixth Judicial District of the State of Idaho, Bear Lake County. Cody L. Brower, District Judge.

Beckett Law Offices, Kuna, attorneys for Appellant, Rilee Lutz.

Hall Angell & Associates, Idaho Falls, attorneys for Real Party in Interest-Respondent.

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This appeal concerns whether a criminal defendant may independently initiate nonsummary contempt proceedings against a law enforcement officer under Idaho Criminal Rule 42 and Idaho Code section 7-601. Appellant Rilee Lutz filed a motion for nonsummary contempt against Bear Lake County Sheriff Bart Heslington, alleging that he knowingly submitted a false supplemental police report during the investigation that led to her prosecution. The district court dismissed the motion, finding that it lacked subject matter jurisdiction because only a prosecuting attorney may bring contempt charges in a criminal case and further finding that Heslington's conduct did not constitute contempt under section 7-601. Lutz now appeals from that dismissal, asserting that the district court misapplied Rule 42 and Idaho's contempt statutes.