

**BOISE, IDAHO, WEDNESDAY, DECEMBER 8, 2021, AT 8:50 A.M.**

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

**MARK ADAM WEAVER,**

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**Petitioner-Respondent,**

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)

**v.**

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**Docket No. 49072**

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**LISA KAYE WEAVER,**

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**nka LISA KAYE KIDMAN,**

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**Respondent-Appellant.**

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Appeal from the District Court of the Seventh Judicial District of the State of Idaho, Bingham County. Scott H. Hansen, Magistrate Judge.

Banks Gaffney, PLLC, Idaho Falls, for Appellant.

Smith Woolf Anderson & Wilkinson, PLLC, Idaho Falls, for Respondent.

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This permissive appeal concerns a magistrate court’s ruling regarding child custody. Lisa Kaye Kidman (“Lisa”) and Mark Adam Weaver (“Mark”) married in March 2016, with one child (“A.W.”) born as issue of that marriage. Mark filed for divorce in November 2020. Following a one-day trial on the issue of A.W.’s custody, the magistrate court awarded the parties joint physical and legal custody. The magistrate court awarded Mark physical custody of A.W. every Thursday evening through Sunday evening, with Lisa having physical custody the remainder of each week. Lisa moved for permission to appeal to this Court, which the magistrate court granted. She appeals the magistrate court’s custody decision, arguing that the magistrate court improperly focused on equalizing the parents’ custodial time and deprived her of significant quality time with A.W.