

Sax

FILED-DISTRICT COURT

CASE #

TIME 3:30 pm

AUG 20 2014

PATTY TEMPLE, CLERK

Jm, DEPUTY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR MINIDOKA COUNTY

IN THE MATTER OF THE ORDER
DECLARING DANA LYDELL SMITH A
VEXATIOUS LITIGANT

CV - 2014-0556

PREFILING ORDER

DANA LYDELL SMITH,

A vexatious litigant.

On July 24, 2014, Pursuant to Idaho Administrative Rule 59(e), this court issued a Proposed Prefiling Order which set forth a proposed order declaring DANA LYDELL SMITH a vexatious litigant based upon FINDINGS OF FACT AND CONCLUSIONS OF LAW, issued the same date. DANA LYDELL SMITH was given fourteen (14) days to file a written response. As of August 20, 2014, DANA LYDELL SMITH has not filed a response.

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SCANNED

THEREFORE, this court orders as follows:

- 1) DANA LYDELL SMITH is declared to be a vexatious litigant pursuant to Idaho Administrative Rule 59. This declaration is based upon the findings previously made by this court on July 24, 2014.
- 2) Based thereon, DANA LYDELL SMITH is hereby PROHIBITED from filing any new litigation in the courts of this state *pro se* without first obtaining leave of a judge of the court where the litigation is proposed to be filed.
- 3) Disobedience to this order is punishable as a contempt of court and any action filed by MR. SMITH without prior leave of court may be dismissed by the court.

PURSUANT TO Idaho Administrative Rule 59(f) this order may be appealed to the Idaho Supreme Court as a matter of right.

IT IS SO ORDERED

Dated this 20th day of August, 2014.



G. RICHARD BEVAN
Administrative District Judge

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of August, 2014, I caused to be served a true and correct copy of the foregoing, by the method indicated below, and addressed to the following:

DANA LYDELL SMITH
PO Box 51
Boise, Idaho 83707

- U.S. Mail
 Hand delivered
 Faxed
 Court Folder

HON. RANDY STOKER
Theron Ward Judicial Bldg.
PO Box 126
Twin Falls, ID 83303

- U.S. Mail
 Hand delivered
 Faxed *emailed*
 Court Folder

LANCE STEVENSON
Minidoka County Prosecutor
PO Box 368
Rupert, ID 83350

- U.S. Mail
 Hand delivered
 Faxed *emailed*
 Court Folder

PATTY TEMPLE
Minidoka County Courthouse
715 G. Street
P.O. Box 368
Rupert, ID 83350

- U.S. Mail
 Hand delivered
 Faxed *emailed*
 Court Folder

Lauree M. Call deputy
Clerk