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Attorney for Defendants.

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

CHRISTINA GREENFIELD,

Plaintiff

vs.

PAUL MENETREY et al.,

Defendants

CASE NO. CV28-21-8129

**PREFILING ORDER  
DESIGNATING CHRISTINA  
GREENFIELD A VEXATIOUS  
LITIGANT**

IT IS HEREBY ORDERED that Christina Greenfield be designated as a vexatious litigant. Ms. Greenfield may not file 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.

The Court finds sufficient facts in the record to conclude that Christina Greenfield has in the immediately preceding seven-year period commenced, prosecuted, or maintained pro se at least three litigations (as that term is defined in Idaho Court Administrative Rule 59(b)), other than in the small claims department of the magistrate division, that have been finally determined adverse to her, as well as engaged in other tactics that are frivolous or solely intended to cause unnecessary delay. As such, the

Court finds that Christina Greenfield is a vexatious litigant pursuant to I.C.A.R. 59(d)(3).

Ms. Greenfield shall have fourteen (14) days to file a written response to this proposed order and findings. I.C.A.R.59(e). "If a response is filed, the administrative district judge may, in his or her discretion, grant a hearing on the proposed order." *Id.* "If no response is filed within fourteen (14) days, or if the administrative district judge concludes following a response and any subsequent hearing that there is a basis for issuing the order, the administrative district judge may issue the prefiling order." *Id.*

### I. STANDARD

I.C.A.R. 59 governs the designation of vexatious litigants and states in relevant part:

(d) An administrative judge may find a person to be a vexatious litigant based on a finding that a person has done any of the following:

(1) In the immediately preceding seven-year period the person has Commenced, prosecuted or maintained pro se at least three litigations . . . that have been finally determined adversely to that person.

(2) After a litigation has been finally determined against the person, the person has repeatedly relitigated or attempted to relitigate, pro se, either

(A) the validity of the determination against the same defendant or defendants as to whom the litigation was finally determined or

(B) the cause of action, claim, controversy, or any of the issues of fact or law, determined or concluded by the final determination against the same defendant or defendants as to whom the litigation was finally determined.

(3) In any litigation while acting pro se, repeatedly files unmeritorious motions, pleadings, or other papers, conducts unnecessary discovery, or engages in other tactics that are frivolous or solely intended to cause unnecessary delay.

I.C.A.R. 59(d).

Determining a person to be a vexatious litigant is within the sound discretion of the

administrative judge. *Telford v. Nye*, 154 Idaho 606, 610, 301 P.3d 264, 268 (2013). "This Court adheres to the rule that persons acting pro se are held to the same standards and rules as those represented by attorneys." *Hujf v. Singleton*, 143 Idaho 498, 500, 148 P.3d 1244, 1246 (2006).

## II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Court due to Defendants' Motion to Find Plaintiff a Vexatious Litigant.

1. Judicial Notice is taken of the following documents:
  - a. Kootenai County Case **CV2010-8209**: The Notice of Substitution of Counsel filed by Ms. Greenfield (June 24, 2011) that she represented herself pro se and all documents filed thereafter in the case. Of increased importance are all of the motions to reconsider filed by Ms. Greenfield, and the repeated and frequent motions she filed, as well as the final judgment against her;
  - b. Kootenai County **CV2012-4701**: All documents filed therein, with particular notice of the final judgment entered on December 3, 2012;
  - c. Kootenai County **CV2014-8801**: All documents filed therein, with particular notice of the final judgment entered on October 22, 2015;
  - d. Idaho Supreme Court Opinion in *Greenfield v. Wurmlinger*, 349 P.3d 1182 (Idaho 2015);
  - e. Idaho Supreme Court Opinion in *Greenfield v. Smith*, 395 P.3d 1279 (Idaho 2017);

- f. Idaho Bankruptcy Court Case 19-20785-NGH: attached hereto and incorporated herein by reference as **Exhibit A** is a true and correct copy of the Docket Report showing all pleadings filed therein; and
- g. Ninth Circuit Bankruptcy Appellate Panel Case No. ID-21-1150, Appellant's Second Motion for an Extension of Time to File Initial Brief Pursuant 8018(a)-1, filed on Oct. 18, 2021.
- h. The Complaint filed in connection with the above-referenced law suit.
2. Ms. Greenfield, within the last seven years of this motion, has maintained at least three litigations, each of which resulted in a negative outcome for Ms. Greenfield.
3. Moreover, in her above referenced Bankruptcy Case, Ms. Greenfield has filed numerous motions, including a Motion to Avoid Lien (6/16/2020), Objection to Notice of Application for Approval of Employment of Realtor (7/21/2020), an Emergency Motion to Recuse Judge Noah G. Hiller (10/13/2020), Debtor's Objections to Sale of Debtor's Property (4/23/2021), and Debtor's Objection to Claim No. 4(5/14/2021). Ms. Greenfield has received an adverse result on each referenced motion.
4. Attached hereto and incorporated herein by reference as **Exhibit B** is a true and correct copy of a motion Ms. Greenfield filed in an appeal she initiated from one of her adverse bankruptcy rulings.
5. In that motion, on October 18, 2021, Ms. Greenfield had represented to the 9<sup>th</sup> Circuit BAP that she had "been forced to vacate her property . . . [and is] now homeless."
6. However, in this action (**CV28-21-8129**), Ms. Greenfield has brought repeated claims based upon her alleged residency at the very same location she claims she had previously claimed before the Ninth Circuit Bankruptcy Appellate Panel was forced to vacate.

7. Attached four bankruptcy court orders where Ms. Greenfield's objections were overruled:

- a. **Exhibit C** shows Ms. Greenfield objection to employment of a realtor was overruled on September 23, 2020;
- b. **Exhibit D** is an order filed March 3, 2021, compelling Ms. Greenfield (overruling her objections) to cooperate with the realtor in the sale of the property;
- c. **Exhibit E** is a bankruptcy court order entered May 4, 2021, approving the sale of the property over Ms. Greenfield's objections; and
- d. **Exhibit F** is a fourth bankruptcy court order, filed June 16, 2021, overruling Debtors' objection to a Proof of Claim.

8. Lastly, in each of the cases in which Ms. Greenfield has represented herself pro se, she has delayed and lengthened and extended the time periods for resolution of the matters causing unneeded and substantially unnecessary delays.

### III. CONCLUSION

The Court finds that Christina Greenfield has met all requirements to be deemed a vexatious litigant pursuant to I.C.A.R. Rule 59. After having reviewed the record in this matter, the Court finds that Christina Greenfield is a vexatious litigant.

IT IS THEREFORE ORDERED that Christina Greenfield shall be 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.

DATED: May 10, 2022

  
Cynthia Meyer Administrative District Judge

CLERK'S CERTIFICATE OF SERVICE

I hereby certify that on 5/10/2022 11:57 AM I caused a true and correct copy of the instrument above to be served on the following in the manner indicated below:

Jonathon Frantz Post Falls Law 806 E Polston Ave. #B Post Falls, ID 83854 <u>Service@PostFallsLaw.com</u>	<input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Facsimile to: <input checked="" type="checkbox"/> Electronic Service
Christina Greenfield P.O. Box 2257 Post Falls, ID 83877	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Facsimile to: <input type="checkbox"/> Electronic Service

  
\_\_\_\_\_  
Clerk