

In the Supreme Court of the State of Idaho

ST. LUKE'S HEALTH SYSTEM, LTD;
ST. LUKE'S REGIONAL MEDICAL
CENTER, LTD; CHRIS ROTH, an
individual; and NATASHA D.
ERICKSON, M.D., an individual, and
TRACY W. JUNGMAN, N.P., an
individual,

Plaintiffs-Respondents,

v.

DIEGO RODRIGUEZ, an individual,

Defendant-Appellant,

and

AMMON BUNDY, an individual;
AMMON BUNDY FOR GOVERNOR,
a political organization; FREEDOM
MAN PRESS, LLC, a limited liability
company; FREEDOM MAN PAC, a
registered political action committee;
and PEOPLE'S RIGHTS NETWORK,
a political organization and an
unincorporated association,

Defendants.

Order Denying Motion to Dismiss Without Prejudice

Supreme Court Docket No. 51244-2023

Ada County District Court No.
CV01-22-06789

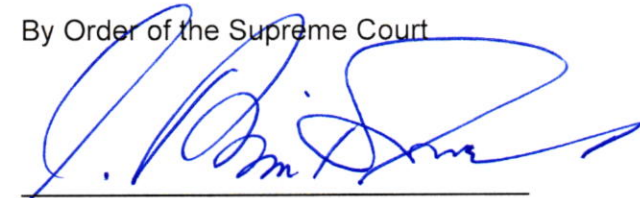
A MOTION TO DISMISS APPEAL, MEMORANDUM IN SUPPORT OF MOTION TO DISMISS APPEAL, and DECLARATION OF JENNIFER M. JENSEN IN SUPPORT OF MOTION TO DISMISS APPEAL were filed by counsel for Respondents on February 5, 2024. A RESPONSE TO MOTION TO DISMISS APPEAL was filed by Appellant on February 16, 2024. Therefore, after due consideration,

IT IS ORDERED that Respondents' MOTION TO DISMISS APPEAL is DENIED without prejudice. In their appellate briefs, the parties shall include briefing on whether Rodriguez was required to move to set aside the default in order to pursue an appeal.

IT IS FURTHER ORDERED that the due date for filing the Clerk's Record and Transcript shall be reset. As the Court has been notified the Reporter Sims has not been paid for the transcripts requested in Plaintiff's Request for Additional Material in the Clerk's Record, upon receipt of an estimate, counsel for Respondents shall immediately pay Reporter Sims for the requested transcripts. All other reporters have advised that payment has been received. The Clerk's Record and Transcripts shall be filed with this Court on or before June 3, 2024. The reporters' lodging date is April 29, 2024.

Dated March 29, 2024.

By Order of the Supreme Court



G. Richard Bevan, Chief Justice

ATTEST:



Melanie Gagnepain, Clerk

cc: Diego Rodriguez, pro se Appellant
Counsel of Record
District Court Clerk
District Court Judge
Reporter S. Sims
Reporter L. Doyon
Reporter M. Lucero
Reporter C. Smith
Reporter C. Valcich