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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; NATASHA
D. ERICKSON, MD, an individual; and TRACY
W. JUNGMAN, NP, an individual,

Plaintiffs/Respondents,

vs.

DIEGO RODRIGUEZ, an individual,

Defendant/Appellant,

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,

Defendants.

Idaho Supreme Court Case No. 51244-2023

Ada County Case No. CV01-22-06789

**NOTICE OF SUPPLEMENTAL
AUTHORITY SUPPORTING JUROR
BIAS AS GROUNDS FOR REVERSAL**

NOTICE OF SUPPLEMENTAL AUTHORITY

Filed pursuant to Idaho Appellate Rule 34(e)(1)

COMES NOW the Appellant, Diego Rodriguez, and respectfully submits this Notice of Supplemental Authority under Idaho Appellate Rule 34(e)(1) to supplement the authority cited in his Appellate Briefs. This notice is submitted for the purpose of clarifying the proper application of controlling Idaho precedent related to juror bias, an issue already raised in the briefs.

The following four Idaho cases were cited by Respondents in their March 6, 2025 Brief, but in each instance, Respondents either mischaracterized or minimized the controlling holdings. Appellant now provides these cases for the Court’s accurate consideration of their relevance to the constitutional violation of seating biased jurors who admitted prejudice during voir dire.

Supplemental Idaho Authorities

1. **Ward v. State**, 166 Idaho 330, 458 P.3d 199 (2020)

“The presence of a biased juror cannot be harmless; it necessarily renders a trial fundamentally unfair.”

The holding in *Ward* makes clear that the seating of **even one biased juror** renders the trial constitutionally defective and **mandates automatic reversal**. Respondents cited *Ward* to deflect a Sixth Amendment argument, but ignored its core due process application to jury impartiality.

2. **Mulford v. Union Pacific Railroad Co.**, 156 Idaho 134, 321 P.3d 684 (2014)

“A juror’s statement during voir dire that he or she is biased or prejudiced against one of the parties may constitute grounds for dismissal for cause.”

The trial court’s failure to dismiss multiple jurors who admitted bias or affiliation with St. Luke’s—despite transcript evidence—directly conflicts with *Mulford*, which mandates disqualification in such circumstances.

3. **Zylstra v. State**, 157 Idaho 457, 337 P.3d 616 (2014)

“A juror’s failure to disclose a relationship with law enforcement officials may constitute implied bias where the relationship raises a serious question about the juror’s impartiality.”

The Court in *Zylstra* affirmed that **implied bias**—such as close relationships with institutions involved in the case—may disqualify a juror even absent express prejudice. Jurors affiliated with St. Luke’s or who admitted ideological leanings against Appellant fall squarely under this standard. Respondents cited *Zylstra* only in the context of judicial bias but failed to acknowledge its direct application to juror disqualification.

4. **State v. Zichko**, 129 Idaho 259, 923 P.2d 966 (1996)

“A failure to excuse a biased juror, when bias is admitted, deprives the defendant of an impartial jury, and constitutes reversible error.”

This is binding precedent that supports reversal in this case. Respondents referenced *Zichko* but failed to quote this dispositive language.

These authorities directly support Appellant’s position that the seating of jurors who **admitted actual bias during voir dire**, and who were not removed for cause, **constitutes structural constitutional error** and requires reversal.

DATED: May 27th, 2025

By: /s/ Diego Rodriguez
Diego Rodriguez

CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2025, I served a true and correct copy of the foregoing Notice of Supplemental Authority via iCourt electronic service to the following:

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DATED: May 27th, 2025

By: /s/ Diego Rodriguez

Diego Rodriguez