

Diego Rodriguez  
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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

**CONDITIONAL NOTICE REGARDING  
ORAL ARGUMENT AND  
RESERVATION OF RIGHTS PENDING  
FEDERAL RELIEF**

COMES NOW the Appellant, Diego Rodriguez, and pursuant to the Idaho Supreme Court’s  
Notice dated September 3, 2025, respectfully provides this Conditional Notice regarding the  
upcoming oral argument scheduled for November 10, 2025.

**I. NOTICE OF INTENT NOT TO APPEAR IN PERSON**

Appellant hereby notifies the Court that he will not appear in person for the oral argument  
scheduled in this matter due to the substantial, well-documented risk of arrest resulting from civil  
contempt warrants currently active in Ada County, Idaho. These warrants originate directly from  
the underlying case before this Court, and were issued by Judge Lynn Norton—the very judge

whose judicial misconduct, denial of due process, and unconstitutional bias are central to this appeal. The existence of these warrants is not collateral or unrelated; they are the procedural consequence of the very injustices now on review, and they function as an unconstitutional deterrent to Appellant's ability to present his arguments, chilling access to the appellate process through threat of arrest.

## **II. PENDING FEDERAL ACTIONS AND INTENT TO SEEK RELIEF**

Appellant has filed a *Motion to Stay In-Person Appearance Pending Federal Intervention* and is actively preparing to initiate federal proceedings under:

- 42 U.S.C. § 1983 for violations of due process and access to the courts;
- An Emergency Motion for Injunction in the U.S. District Court to enjoin this Court's in-person appearance requirement; and
- Potential further review by the U.S. Supreme Court or Ninth Circuit Court of Appeals, depending on jurisdictional posture.

These actions are based on constitutional violations including:

- **Access to Courts** – The Idaho Supreme Court has effectively denied Appellant the ability to be heard by insisting on in-person appearance under arrest threat.
- **Due Process** – Repeated denials of remote appearance motions without explanation violate basic due process guarantees.
- **Viewpoint Discrimination** – Appellant reasonably believes that his outspoken criticism of the judiciary has resulted in retaliatory procedural treatment.
- **Retaliatory Harassment Under Color of Law** – The enforcement of arrest threats as a barrier to appellate participation may constitute unlawful retaliation by a state actor.

## **III. NO WAIVER OF RIGHTS OR OBJECTIONS**

Appellant's failure to appear in person for oral argument does not constitute a waiver of any legal rights, arguments, or constitutional claims. This Conditional Notice is not a voluntary relinquishment of oral argument rights but a necessary protective measure to preserve procedural integrity pending resolution of federal constitutional questions.

#### **IV. REQUEST FOR OFFICIAL ACKNOWLEDGMENT OF THIS NOTICE**

Appellant respectfully requests that this Court:

1. Acknowledge receipt of this Conditional Notice in the record;
2. Confirm that Appellant's absence on November 10, 2025, will not be treated as abandonment or default;
3. Preserve the case for potential later oral argument in the event federal relief is granted.

Respectfully submitted,

DATED: September 7th, 2025

By: /s/ Diego Rodriguez

Diego Rodriguez

# CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy to:

Erik F. Stidham (ISB #5483)  
HOLLAND & HART LLP  
800 W. Main Street, Suite 1750  
Boise, ID 83702-5974

☐ By Mail  
☐ By fax  
☒ By Email/iCourt/eServe

Ammon Bundy  
4615 Harvest Lane  
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☐ By Mail  
☐ By fax  
☒ By Email/iCourt/eServe

DATED: September 7th, 2025

By: /s/ Diego Rodriguez  
Diego Rodriguez