

Diego Rodriguez
1317 Edgewater Drive #5077
Orlando, FL 32804
(208) 891-7728

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

**SUPPLEMENTAL STATEMENT FOR
THE RECORD AND NOTICE OF
JUDICIAL IRREGULARITIES**

COMES NOW the Appellant, Diego Rodriguez, appearing pro se, and without seeking reconsideration or further relief, submits this *Supplemental Statement* solely for the record to formally document a series of irregularities, misrepresentations, and judicial inconsistencies arising from the Court’s Order issued on September 24, 2025. This Notice is submitted for preservation purposes, to maintain the integrity of the appellate record, and to inform this Court, the United States Supreme Court, and all future reviewing bodies of unresolved constitutional issues and potential judicial misconduct now infecting these proceedings.

I. NO RELIEF IS REQUESTED: THIS IS A RECORD NOTICE

This filing is not a motion and does not request reconsideration. Rather, this document serves as a *Notice to the Record* that the Appellant intends to preserve certain factual and legal irregularities for potential use in federal litigation, judicial oversight, or constitutional review. This filing is submitted solely to maintain an accurate record in light of the Court's material mischaracterizations, omissions, and errors.

II. PROCEDURAL BACKGROUND: WHAT WAS FILED AND WHY

On September 6 and 7, 2025, the Appellant filed the following:

1. *Motion to Stay In-Person Oral Argument Pending Federal Intervention;*
2. *Motion to Recognize and Preserve Unresolved Federal Constitutional Questions;* and
3. *Conditional Notice Regarding Oral Argument and Reservation of Rights Pending Federal Relief.*

These filings were submitted not as delay tactics, but as good faith efforts to:

- Avoid coercion and potential arrest based on open civil contempt warrants directly related to this underlying case;
- Ensure that unresolved federal constitutional questions are preserved for eventual federal review; and
- Secure permission to appear for Oral Argument remotely, pursuant to both Idaho precedent and Chief Justice Bevan's own prior memorandum encouraging such accommodations.

III. IRREGULARITIES IN THE SEPTEMBER 24 ORDER

A. Straw Man Mischaracterization of the January 2, 2023 Memorandum

The Court's Order states: "*The January 2, 2023, Idaho Supreme Court Order Re: Remote Court Proceedings does not require virtual hearings...*"[emphasis added]

This is a non-responsive straw man. Appellant never claimed the memorandum required remote proceedings. The Appellant merely cited the memo (written by Chief Justice Bevan himself) to show that remote participation is allowed and encouraged where practical, to support access to

justice. The Appellant's request was for permission to appear remotely, not to mandate a virtual hearing.

The Court's deliberate misstatement of Appellant's position demonstrates either a failure to read the briefing or an intent to distort the request to justify denial. This undermines confidence in the neutrality and integrity of the ruling.

The record must reflect that Appellant never claimed that the Court was required to hold a remote hearing or that Chief Justice Bevan's memorandum created a legal obligation. Rather, Appellant's position was that Bevan's own stated policies regarding access to justice were flagrantly ignored without explanation, despite Appellant's clear showing of need and reasonableness.

B. Failure to Address or Preserve Federal Constitutional Issues

The *Appellant's Motion to Recognize and Preserve Unresolved Federal Constitutional Questions* was denied without explanation. This is despite:

- Clear federal issues raised under the First Amendment, Fourteenth Amendment, and Due Process Clause;
- A pending federal civil rights lawsuit implicating the same events, parties, and judge;
- Ongoing enforcement of contempt warrants that arose from judicial bias and lack of due process.

By failing to even acknowledge these constitutional concerns—let alone preserve them for higher review—this Court may be violating its duty under Idaho law and federal supremacy principles to ensure that federal constitutional questions are not procedurally defaulted.

The Appellant's federal claims are not hypothetical—they are presently being litigated in a civil rights action, and the same core events and actors are at issue. By denying preservation of these constitutional questions without any explanation, this Court has now introduced a serious procedural defect that could foreclose Appellant's access to federal remedies.

C. Misstatement of the Scope of 28 U.S.C. § 1257

The Court dismissively states: “*28 U.S.C. § 1257 does not provide a basis for staying a pending state court appeal...*”

Again, this is a red herring. The Appellant did not argue that § 1257 provides authority for a stay. The citation was used solely to explain the Appellant’s federal reservation of rights and the path to seek certiorari on constitutional issues once state remedies are exhausted. The Court’s misreading of the citation—twisting it into a false claim of authority—once again signals either carelessness or strategic avoidance of the record as filed. The distortion itself becomes evidence of judicial irregularity.

D. Conflict of Interest and Failure to Recuse

Chief Justice Bevan authored the memorandum used as partial basis for the Appellant’s request. His refusal to permit even the mildest form of accommodation in a case where he is both the subject of pending judicial complaints and the final arbiter raises grave concerns of partiality and judicial self-interest, yet he continues to wield decisive authority without recusal. Appellant has previously filed materials implicating Bevan in institutional misconduct and now notes his continued participation as evidence of a compromised proceeding¹.

IV. CLARIFICATION OF PARTICIPATION UNDER DURESS

Appellant reaffirms that:

- He has not refused to appear for Oral Argument;
- He is placed under imminent risk of arrest if he attempts to travel to Idaho due to civil contempt warrants directly arising from this very lawsuit;
- His request for remote participation was not to evade scrutiny, but to preserve personal liberty while participating meaningfully in this appeal.

¹ *Chief Justice Bevan’s continued participation in these proceedings despite these concerns may be cited in future judicial misconduct proceedings or federal filings asserting deprivation of rights under color of law.*

Any absence from Oral Argument will be under duress, coerced by state action, and not a voluntary waiver of rights. The Court’s statement that it will “consider any arguments submitted” does not cure the due process violation created by coercing Appellant to forfeit his right to be heard in person—or even remotely—under credible threat of arrest.

Appellant’s ability to participate is not freely given but coerced by a system that has demonstrated hostility to his liberty, impartiality, and access to justice. That coercion is a fact the record must reflect.

Furthermore, the record should show that the Appellant has expressed willingness to fully participate by alternative means and that his request for remote appearance was narrowly tailored to accommodate a credible, ongoing threat to his liberty stemming from the same proceedings now on appeal.

V. RESERVATION OF RIGHTS

Appellant expressly reserves all rights under:

- The First and Fourteenth Amendments of the U.S. Constitution;
- The Idaho Constitution, including Article I, §§ 1, 13, and 18;
- All federal oversight mechanisms, including but not limited to 42 U.S.C. § 1983, judicial complaints, and petitions for certiorari.

Appellant’s participation in any future oral proceedings shall be considered involuntary, coerced, and subject to immediate legal protest, should he be denied meaningful access or suffer retaliatory consequences.

VI. CONCLUSION

This filing is submitted to preserve the truth in the record and to inform all reviewing courts, federal authorities, and the public that the Idaho judiciary has now demonstrated:

- Patterned mischaracterization of constitutional arguments;
- Judicial conflicts of interest left undeclared;
- Denial of even basic due process access;

- And a continued effort to shield itself from accountability.

You may disregard these arguments for now—but the federal judiciary and the world at large will not.

Respectfully submitted,

DATED: October 11th, 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
Emmett, ID 83617

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

DATED: October 11th, 2025

By: /s/ Diego Rodriguez
Diego Rodriguez