

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

**MOTION TO STAY ISSUANCE OF  
FINAL OPINION PENDING  
RESOLUTION OF MOTION TO  
DISQUALIFY**

Appellant Diego Rodriguez moves this Court for an order staying issuance of any opinion or judgment in this matter until the Court has resolved Appellant’s *Motion to Disqualify Chief Justice Richard G. Bevan*.

**I. GROUNDS FOR STAY**

**1. A final opinion issued while a disqualification motion is pending is procedurally improper.**

Idaho appellate procedure, constitutional due process, and basic judicial ethics prohibit issuance of a decision while the panel’s composition is under challenge.

Doing so would:

- Create structural error;
- Undermine the integrity of the Court's ruling;
- Raise federal due process concerns;
- Constitute reversible procedural irregularity.

Issuing an opinion while a disqualification motion remains pending would itself constitute a denial of due process, as the parties cannot be bound by a decision rendered by a panel whose composition is actively under challenge.

**2. A stay is required because the challenged justice's vote may be outcome-determinative.**

If the decision is 3–2, and Bevan is part of the 3, his vote becomes constitutionally impermissible if disqualification is later found warranted.

Issuing the opinion before resolving disqualification creates:

- A tainted ruling;
- A cloud over the legitimacy of the Court's judgment;
- A need for rehearing;
- A risk of vacatur;
- A federal question under Caperton.

**3. The stay preserves judicial economy and prevents needless relitigation.**

Resolving disqualification after the opinion would require:

- Vacating the opinion,
- Reconstituting the panel,
- Re-hearing the case.

Staying issuance prevents this entirely.

## II. RELIEF REQUESTED

Appellant respectfully requests that this Court:

1. Stay issuance of any opinion or judgment in this case
2. Maintain the stay until final resolution of the Motion to Disqualify;
3. Issue no order that relies on Chief Justice Bevan's vote until his status is resolved.

Respectfully submitted,

DATED: November 15th, 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: November 15th, 2025

By: /s/ Diego Rodriguez  
Diego Rodriguez