

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

DENIED

Any complaint alleging judicial misconduct must be filed with the Idaho Judicial Council, not the trial court. Defendant is free to contact the Idaho Judicial Council with his Notice of Exception, but this Court will not take any action on the Notice of Exception. 7/11/2023 12:50:26 PM

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

Nancy A. Bond

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,

vs.

AMMON BUNDY, an individual; AMMON BUNDY FOR GOVERNOR, a political organization; DIEGO RODRIGUEZ, an individual; 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.

Case No. CV01-22-06789

**NOTICE OF EXCEPTION RAISED BY
DIEGO RODRIGUEZ AGAINST JUDGE
LYNN NORTON**

Filed: 07/11/2023 14:19:06
Fourth Judicial District, Ada County
Trent Tripple, Clerk of the Court
By: Deputy Clerk - Nelson, Ric

COMES NOW Defendant Diego Rodriguez (who may refer to myself as "I," "defendant," or "Rodriguez), defendant in the above mentioned case, to raise an exception to orders issued by Judge Lynn Norton and to her behaviors which I believe constitute judicial misconduct on her behalf.

I believe and have evidence that Judge Lynn Norton has violated the Code of Judicial Conduct by specifically failing to perform her duties impartially and diligently, and also by prejudicial conduct to the administration of justice that brings the office into disrepute.

Below, I have included 12 very specific things she has done which demonstrate her misconduct as a judge, her violations of both the U.S. Constitution and the Idaho State Constitution, and her general tyranny over me and Ammon Bundy in this case. I raise an exception to her orders and behavior as outlined below:

1. She issued an order against Diego Rodriguez without having jurisdiction over him or the case in question.

On July 12th, Judge Lynn Norton issued an order against Diego Rodriguez ordering him to “to respond to those Interrogatories on or before August 5, 2022.” However, Diego Rodriguez was not officially served in this matter until September 7th, 2022. Therefore, Judge Lynn Norton did not have jurisdiction over Diego Rodriguez or this case until September 7th. Any orders issued before September 7th, 2022 are unlawful. And in this order itself, Judge Lynn Norton acknowledges the fact that Diego Rodriguez and Ammon Bundy, the defendants in this case, were not notified of the order since it is noted that neither of their address were on file as can be seen in the screenshot below:

CERTIFICATE OF SERVICE

I certify that on this day I served a copy of the attached to:

Erik F. Stidham
PO Box 2527
Boise, ID 83701

efstidham@hollandhart.com

E-mail

No known address is court file for:

Ammon Bundy

Diego Rodriguez

Phil McGrane
Clerk of the Court

Dated: 07/12/2022

By: Janine Korsen
Deputy Clerk



2. Judge Lynn Norton used her previous unlawful order as the premise to issue another order against Diego Rodriguez forcing him to pay legal fees to the plaintiff's attorney.

On November 29th, 2022, Judge Lynn Norton issued an additional order against Diego Rodriguez, ordering him to pay \$5,408.10 of fees to the plaintiff's attorney based on the claim that Diego Rodriguez did not obey the previous order. However, Diego Rodriguez is not bound to obey an unlawful order.

Her claim is that Diego Rodriguez had to obey the unlawful order simply because Diego did not file a Rule 12(b) motion. However, a Rule 12(b) motion cannot apply to a case where the defendant still has yet to be legally served. Rule 12(b) applies to Diego's response, which he did file, on September 6th, 2022.

In no wise, does the lack of filing of a 12(b) motion change the fact that the court cannot issue orders against Diego Rodriguez BEFORE Diego has been legally served.

3. Judge Lynn Norton issued an order demanding that Diego Rodriguez, a citizen of the state of Florida, attend a deposition in Boise, Idaho at his own expense.

On April 24, 2023, Judge Lynn Norton issued an order demanding that Diego Rodriguez attend a deposition in Boise, Idaho as can be seen in the screenshot below:

This Court ORDERS Defendant Rodriguez to attend the deposition in Boise, Idaho, that will be noticed by the Plaintiffs no later than May 24, 2023 and answer these questions fully and provide in advance of the deposition or, at the latest, bring with him all responsive documents to disclose to Plaintiffs.

While the Plaintiffs request the Court enter a default judgment against Defendant Rodriguez at this point, the Court finds that while Rodriguez's lack of responses delays the discovery in this case, and may eventually delay the trial of this matter, the Court



ORDER GRANTING PLAINTIFFS' MOTION FOR SANCTIONS AGAINST RODRIGUEZ FOR FAILURE TO COMPLY WITH COURT ORDERS

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This is a civil case and this order is therefore a violation of the Rules of Civil Procedure Rule 45 (c)(1) plainly states: *For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows: (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or (B) within the state where the person resides, is employed, or regularly transacts business in person.*

I live in Florida, over 2,000 miles away from Boise, Idaho, and Judge Lynn Norton is fully aware of that fact and has stated so in multiple rulings and orders. Judge Lynn Norton is

intentionally issuing unlawful orders, apparently, just to cause Diego Rodriguez harm and frustration.

4. Judge Lynn Norton refused to obey Idaho Civil Rules and Procedure Rule #55 and put Ammon Bundy in jeopardy of his life, liberty, and property by breaking this law/rule.

Ammon Bundy is a defendant named in this case, and decided to ignore the case and allow himself to suffer by receiving a default judgment as this is what the Idaho Rules of Civil Procedure demand and declare, “When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the court must order entry of the party’s default.”

Judge Lynn Norton refused to obey the Idaho Civil Rules and Procedure #55 and has therefore brought additional harm and injustice to Ammon Bundy.

5. Judge Lynn Norton unlawfully held Ammon Bundy in contempt of court and has put his life, liberty, and property in jeopardy without cause.

Judge Lynn Norton signed a warrant to arrest Ammon Bundy for contempt of court for allegedly violating a protective order that was issued against him. However, Ammon Bundy would never be subject to the protective order in the first place, had Judge Lynn Norton obeyed the I.R.C.P. Rule #55 which she is required to do.

Nevertheless, even if Ammon was subject to such protective order, he plainly did not violate it. The protective order states, and is attached as Exhibit D, “*Any person who, by direct or indirect force, or by any threats to a person or property, or by any manner wilfully*

intimidates, threatens or harasses any person because such person has testified or because he believes that such person has testified in this lawsuit may be held in contempt of court.”

Ammon Bundy simply never did such a thing. On the contrary, in a general article not aimed or directed at any person, and especially not at any person in this case, Ammon Bundy made a call for peaceful unity. Later in his article, he went on to say, *“Stop thinking that the courts or elected representatives are going to save us. Stop worshipping the police or anyone else that secures more power to the institutions that threaten freedom. Stop wasting your time thinking that congress or the president is where the solution resides. Stop being afraid. Stop thinking that remaining free is easy, it’s not! The people must balance the power that is forming against them. We must peacefully unite, plan and prepare so we are ABLE to defend ourselves as necessary. The right to defend yourself is a right that is given to you from God and a right that is protected in our founding documents. The same documents that mean nothing unless they can be enforced by the people.”*

This is the written section of Ammon’s article that Judge Lynn Norton claims violated the unlawful protective order that was issued against Ammon. Again, it was unlawful because it never would have been issued had Judge Norton obeyed the rules which govern her behavior. Additionally, even if the order were lawful, Ammon’s words were clearly not a violation of the order and anybody can plainly see that to be true.

Judge Norton has thereby violated Ammon Bundy’s rights and has put his life and liberty in jeopardy as he has been subject to physical threats, harm, and harassment by law enforcement as a result of Judge Norton’s orders. If Ammon, or anyone close to him, is harmed as a result of this order, it will be the fault of Judge Lynn Norton and her violations of law, the Idaho State Constitution, and the U.S. Constitution, which demonstrate her Judicial Misconduct by

specifically failing to perform her duties impartially and diligently, and also by prejudicial conduct to the administration of justice that has brought the entire institution of the “Justice Department” of Idaho into disrepute.

6. Judge Lynn Norton issued a warrant for Diego Rodriguez’s arrest with excessive bail, violating the US Constitution and the Idaho State Constitution.

The 8th Amendment to the US Constitution plainly states that “*Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.*” Yet, Judge Lynn Norton issued a warrant for the arrest of Diego Rodriguez in this civil matter with a bail set at \$25,000. That is an unconscionable sum of money and is clearly excessive by anyone’s judgment or estimation. There is no reasonable or logical reason for such an excessive amount of bail to be placed, particularly when fines for contempt of court in civil cases in Ada County normally amount to \$250 or less, and it definitely gives the impression to the public that Judge Lynn Norton is simply being vindictive against Diego Rodriguez since he has exercised his 1st amendment right of freedom of speech and has published many articles exposing what he believes to be corruption and tyranny on behalf of Judge Lynn Norton.

The Idaho State Constitution likewise in section 6 states, “*Excessive bail shall not be required, nor excess fines imposed, nor cruel and unusual punishments inflicted.*” And to further demonstrate how excessive this bail is and how it is a deep violation of constitutionally protected rights, it must be noted that Idaho State Statute § 7-610 puts a limit of \$5,000 as the fine for contempt of court: “*Upon the answer and evidence taken, the court or judge must determine whether the person proceeded against is guilty of the contempt charged, and if it be adjudged*

that he is guilty of the contempt, a fine may be imposed on him not exceeding five thousand dollars (\$5,000).”

7. Judge Lynn Norton issued a warrant for Ammon Bundy’s arrest with excessive bail, violating the US Constitution and the Idaho State Constitution.

In the same manner listed above, Judge Lynn Norton issued a warrant for arrest for Ammon Bundy, which was unlawful, and also violated the Constitution with excessive bail issued at \$10,000.

8. Judge Lynn Norton issued an order striking all of Diego Rodriguez’s answers from the record, violating his due process rights.

How can justice be served or proper judgments be made by any jury or public enquirer, if the defendant’s responses to the complaint and allegations made against him are struck from the record? This is judicial bias and misconduct of the highest order and has brought significant disrepute to the Idaho Judicial system.

9. Judge Lynn Norton, in the same order, has prohibited Diego Rodriguez from presenting any evidence contrary to the allegations made against him by the plaintiffs.

This is a most egregious and heinous order that makes even the casual observer consider that communist tyranny is more just than Judge Lynn Norton’s court room. This is the epitome of judicial misconduct and should never be tolerated.

10. Judge Lynn Norton denied Diego Rodriguez, a citizen of Florida, access to his pre-trial hearing via video when he requested it.

Judge Lynn Norton denied Diego Rodriguez access to the pre-trial hearing via videoconference because a member of the public had previously recorded a hearing and recorded it contrary to her orders. This recording was later posted to a Telegram group where Diego Rodriguez is allegedly an “administrator” of the page. Diego Rodriguez, however, did not instruct this person to make that record, nor did he have any influence over that person, and was not in communication with that person in any way. What another member of the public does should not have any effect or rendering upon judgment for Diego or any other defendant in this case. Judge Lynn Norton is therefore punishing Diego Rodriguez for the actions of another. This is judicial misconduct.

11. Judge Lynn Norton demanded that Diego Rodriguez produce his 2022 tax returns in the year 2022, when they had no relevance to the case and they were not even required to be filed until April 2023.

While this issue might seem like a simple error and oversight on behalf of Judge Lynn Norton, when taken together with the other long train of abuses and usurpations, it demonstrates her continued violations of rights, her disregard for law and order, and her general tyrannical nature. One can only wonder how many people she has tyrannized and how often her tyranny has been exercised upon the citizens of Idaho.

12. Judge Lynn Norton ordered sanctions against Diego Rodriguez for not providing discovery requests which were entirely irrelevant and would not lead to admissible

evidence, but she issued no sanctions against the Plaintiffs in this case for refusing to provide discovery that was entirely relevant and would have lead to admissible evidence.

Discovery requests by Diego Rodriguez that were completely refused and rejected included:

- The amount of money St. Luke’s hospital received for having Baby Cyrus in their possession.
- The amount of money St. Luke’s receives on an annual basis for receiving children from CPS.
- The salary and total compensation package for Chris Roth in comparison to previous CEOs.
- The amount of children who have died in St. Luke’s hospital.
- The number of people who died on ventilator’s at St. Luke’s hospital during the COVID pandemic.

These, along with other relevant discovery requests, that were made by Diego Rodriguez were simply rejected and Judge Lynn Norton never made any demands or orders against the Plaintiffs for rejecting these required requests, yet she issued sanctions against Diego Rodriguez for not providing discovery requests to totally irrelevant issues that were designed to simply frustrate, harass, and cause injury to Mr. Rodriguez—and would ultimately just serve as a complete waste of time and an unnecessary invasion of his privacy.

I certify that, to the best of my knowledge, the foregoing is true and correct.

DATED: July 9th, 2023

By: /s/ Diego Rodriguez

Diego Rodriguez

CERTIFICATE OF SERVICE

I certify I served a copy to: (name all parties or their attorneys in the case, other than yourself)

Judge Lynn Norton
200 W Front St
Boise, ID 83702

By Mail

By fax

By Email/iCourt/eServe

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

DATED: July 9th, 2023

By: /s/ Diego Rodriguez_____

Diego Rodriguez