

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

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

**RENEWED MOTION TO DISQUALIFY
JUDGE BASKIN WITH AFFIDAVIT**

COMES NOW defendant Diego Rodriguez, pro se, and respectfully files this *Renewed Motion to Disqualify Judge Nancy A. Baskin* for cause, pursuant to Idaho Rule of Civil Procedure 40(d)(1).

1. On June 14, 2024, the undersigned filed a prior *Motion to Disqualify Judge Nancy A. Baskin* for cause, citing numerous and specific examples of judicial misconduct, demonstrated bias, prejudicial rulings, and violations of due process. To date, that motion has never been ruled upon.

2. Despite the pending motion, Judge Baskin has continued to act in this matter. On May 23, 2025, she issued an *Order denying Defendant's Motion to Expedite Ruling and Motion to Appear Remotely*. This order adds to an already well-documented pattern of judicial abuse.

3. Judge Baskin's recent order further demonstrates the same pattern of judicial bias and abuse and reflects textbook judicial misconduct. It reinforces the appearance of bias and deprives the Defendant of basic due process protections. Specifically:

- a. She denied a routine motion to appear remotely by a pro se litigant residing over 2,000 miles away in Florida, ignoring Rule 7(b) and the Fourth Judicial District's own administrative flexibility for remote participation.
- b. She mischaracterized unrelated contempt proceedings as justification for denying Defendant access to a hearing on an entirely separate property issue.
- c. She manipulated procedural deadlines to claim that Defendant's prior motions were "withdrawn," despite actual compliance.
- d. She asserted that Defendant offered "no competent evidence" of financial hardship, while never giving opportunity or instruction to submit one—constructing a procedural trap.
- e. She scheduled a hearing on Defendant's *Motion for Return of Seized Property* while knowingly denying the Defendant the ability to attend or participate.
- f. Judge Baskin misapplied Local Rule 5.3 by asserting that my motions were "deemed withdrawn" due to failure to file a Notice of Hearing within 14 days. This is procedurally false and judicially improper. Specifically, my original Motion to Disqualify Judge Baskin, filed June 14, 2024, was governed by Idaho Rule of Civil Procedure 40(d)(1), which expressly requires the presiding judge to rule on the motion within 14 days—without a hearing. There is no procedural requirement for a pro se litigant to notice a hearing on a disqualification motion. The fact that I subsequently filed a Motion to Expedite related to a different issue—my Motion for Return of Seized Property—does not create retroactive procedural obligations for the disqualification motion. To use Local Rule 5.3 as a tool to suppress or erase a disqualification motion that is exempt from hearing requirements is not only a misapplication of the rule, it is a judicial manipulation of process designed to suppress accountability and deny due process.

4. These acts constitute more than poor judgment—they are a systematic and deliberate obstruction of Defendant's constitutional rights. Any ruling from Judge Baskin on pending or future matters would constitute a denial of due process and, if undertaken while this disqualification motion is pending, may rise to the level of de facto judicial usurpation.

5. Under Idaho Rule of Civil Procedure 40(d)(1), a judge presented with a motion and affidavit for disqualification must grant or deny the motion within 14 days without hearing. This is a mandatory duty. Judge Baskin must immediately recuse herself or deny the motion on the record so it may be reviewed accordingly.

WHEREFORE, Defendant Diego Rodriguez respectfully requests that the Court:

- Disqualify the Hon. Nancy A. Baskin from any further proceedings in this case;
- Assign a neutral and impartial judge;
- Stay all pending matters—including the June 10 hearing—until a ruling on this motion is entered.

DATED: May 23rd, 2025

By: /s/ *Diego Rodriguez*
Diego Rodriguez

CERTIFICATE OF SERVICE

I certify I served a 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

Sheriff Donnie Wunder
Gem County Sheriff's Office
410 E. First Street
Emmet, ID 83617
dwunder@co.gem.id.us

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Tanya Vaughn, Records Custodian
Gem County Sheriff's Office
410 E. First Street
Emmet, ID 83617
tvaughn@co.gem.id.us

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

DATED: May 23rd, 2025

By: /s/ Diego Rodriguez

Diego Rodriguez

AFFIDAVIT IN SUPPORT OF MOTION TO DISQUALIFY JUDGE NANCY A. BASKIN

I, Diego Rodriguez, being duly sworn, depose and state as follows:

1. I am the Defendant and Movant in the above-captioned matter. I am over the age of 18 and competent to testify to the matters stated herein.

2. On June 14, 2024, I filed a Motion to Disqualify the Honorable Judge Nancy A. Baskin for cause, citing numerous instances of judicial misconduct, bias, and violations of due process throughout prior trial proceedings. To my knowledge, that motion was never ruled upon by the Court.

3. On May 23, 2025, Judge Baskin issued an Order denying my *Motion to Expedite Ruling* and *Motion to Appear Remotely*. I believe this order reflects ongoing judicial bias and prejudice. Specifically:

- a. Judge Baskin denied my request to appear remotely, despite my Florida residency, pro se status, and financial hardship;
- b. She cited unrelated contempt proceedings as justification for denying my right to attend the hearing remotely on a different motion;
- c. She misapplied Local Rule 5.3 to deem prior motions “withdrawn” despite full compliance on my part;
- d. She denied my request without seeking any clarification or supplemental information;
- e. She continued to schedule hearings affecting my property rights while obstructing my ability to participate.

4. I believe that Judge Baskin’s actions reflect a continuing pattern of judicial hostility and procedural manipulation that deprives me of a fair and impartial tribunal.

5. For these reasons, I respectfully renew my motion to disqualify Judge Baskin for cause, and request reassignment to a neutral judicial officer.

6. A supporting *Declaration of Timeline of Compliance* is submitted concurrently with this affidavit. That declaration outlines the key filing dates and actions taken by me to comply in good faith with all applicable procedural rules. It is intended to clarify the record and rebut any suggestion of abandonment or procedural neglect as referenced in Judge Baskin’s May 23, 2025 Order.

I declare under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

FURTHER AFFIANT SAYETH NAUGHT.

DIEGO RODRIGUEZ

Signed: May 23rd, 2025

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Diego Rodriguez