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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

**EMERGENCY MOTION TO ENFORCE
DISQUALIFICATION AND FOR
IMMEDIATE REASSIGNMENT TO A
NEUTRAL JUDGE**

COMES NOW, the Defendant, Diego Rodriguez, pursuant to I.R.C.P. 40(d), Idaho Code § 1-907, Article I, Sections 13 and 18 of the Idaho Constitution, and the Fourteenth Amendment to the United States Constitution, and respectfully moves this Court for an Order enforcing the mandatory judicial disqualification previously triggered by Defendant's prior *Motion to Disqualify Judge Nancy Baskin*, and for immediate reassignment of this matter to a neutral judge.

This motion arises from a long-standing civil action in which Defendant has repeatedly raised issues of judicial bias, improper rulings, and systemic denial of due process. The underlying

disqualification motion has now been pending without resolution for over one year, while Judge Baskin has continued to issue rulings in clear violation of I.R.C.P. 40(d).

I. FACTUAL BACKGROUND

This motion is made on the following grounds:

- A. On or about June 14th, 2024, Defendant filed a *Motion to Disqualify Judge Nancy Baskin* pursuant to I.R.C.P. 40(d).
- B. Under I.R.C.P. 40(d), the presiding judge “*must not act further in the action except to grant or deny the motion for disqualification.*”
- C. Judge Baskin has never entered a written ruling on the *Motion to Disqualify*, and the docket reflects no such order. If she claims to have ruled orally, such action would be procedurally deficient—because under I.R.C.P. 2.3(b), an order or judgment must be formally entered and served by the clerk on every party. In the absence of a written and served order, her continued rulings and refusal to reassign the case constitute an ongoing jurisdictional violation.
- D. Pursuant to I.R.C.P. 40(d), once a motion to disqualify has been filed, the presiding judge “*must not act further in the action except to grant or deny the motion.*” If the motion is granted, or disqualification otherwise occurs, the administrative judge of the judicial district is required to “*appoint another qualified judge in the judicial district, or apply to the Supreme Court for appointment of a new judge from outside of the judicial district.*” In this case, no such reassignment has occurred, and the original judge continues to act without jurisdiction.

II. GROUNDS FOR RELIEF

- A. Idaho Code § 1-907 grants the administrative judge supervisory authority to assign judges, set calendars, and enforce compliance with proper judicial conduct and reassignment procedures.
- B. Judge Baskin’s continued jurisdictional actions constitute a violation of due process as protected by Article I, Section 13 and Section 18 of the Idaho Constitution and the Fourteenth Amendment to the United States Constitution.

- C. Defendant has now twice filed *Notices of Judicial Misconduct and Bias* to preserve the record of Judge Baskin's prejudicial conduct and continuing refusal to follow procedural rules.
- D. Defendant has also preserved a Rule 60(d)(3) claim for future claims of fraud on the court, judicial misconduct, and potential federal civil rights violations pursuant to 42 U.S.C. § 1983.
- E. Judge Baskin's continued involvement not only violates procedural safeguards but threatens the integrity of all proceedings and deprives Defendant of a neutral tribunal—one of the most fundamental rights in American jurisprudence.

III. REQUEST FOR RELIEF:

WHEREFORE, Defendant respectfully requests:

- A. That the administrative judge of the Fourth Judicial District immediately reassign this case to a neutral judge in accordance with I.R.C.P. 40(d) and Idaho Code § 1-907;
- B. That all rulings, orders, or proceedings undertaken by Judge Nancy Baskin after the filing of the motion to disqualify be deemed void for lack of jurisdiction;
- C. That the Court enter such other and further relief as justice may require.

Respectfully submitted,

DATED: July 15th, 2025

By: /s/ Diego Rodriguez
Diego Rodriguez

CERTIFICATE OF SERVICE

I certify I served a copy to:

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

DATED: July 15th, 2025

By: /s/ *Diego Rodriguez*
Diego Rodriguez