

Diego Rodriguez
1317 Edgewater Drive #5077
Orlando, FL 32804
(208) 891-7728
freedommanpress@protonmail.com
Pro Se

**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

**OBJECTION TO SCHEDULED
HEARING BEFORE DISQUALIFIED
JUDGE AND SUPPLEMENTAL
NOTICE OF PRESERVED JUDICIAL
MISCONDUCT**

COMES NOW, Defendant DIEGO RODRIGUEZ, pro se, and hereby files this formal
OBJECTION to the scheduled hearing set for August 19, 2025, before Judge Nancy Baskin, and
issues this Supplemental Notice preserving evidence of ongoing judicial misconduct and
jurisdictional violations.

Defendant has repeatedly documented a pattern of judicial bias, including unilateral rulings
issued without resolving disqualification, continued interference in the case in violation of
I.R.C.P. 40(d), and an ongoing failure to address emergency filings or pending motions. Despite

being barred from further action absent a ruling on that motion, Judge Baskin has continued to interfere in this case, including issuing orders and setting hearings in violation of both rule and constitutional due process.

I. JUDGE BASKIN IS BARRED FROM ACTING UNDER I.R.C.P. 40(d)

Pursuant to Idaho Rule of Civil Procedure 40(d), upon the filing of a motion to disqualify, *"the presiding judge must not act further in the action except to grant or deny the motion for disqualification."* Defendant filed a proper *Motion to Disqualify Judge Baskin* over one year ago. To date, no written order denying the motion has ever been entered in accordance with I.R.C.P. 2.3(b), and no reassignment was made by the Administrative Judge as required by I.R.C.P. 40(d) and Idaho Code § 1-907.

Any attempt by Judge Baskin to schedule or preside over a hearing while disqualified is a jurisdictional violation and renders such hearing procedurally void. As the Idaho Supreme Court stated in *State v. Gorringer*, 168 Idaho 175, 481 P.3d 723 (2021), *"an order entered without subject matter jurisdiction is void."* Because Judge Baskin continues to act despite disqualification under I.R.C.P. 40(d), any ruling or hearing set by her is void ab initio and legally unenforceable.

Additionally, on July 15, 2025, Defendant filed an *Emergency Motion to Enforce Disqualification and for Immediate Reassignment to a Neutral Judge*, which remains pending. This motion reaffirmed the operative effect of the disqualification and called upon the Administrative Judge to act pursuant to Idaho Rule of Civil Procedure 40(d) and Idaho Code § 1-907.

II. HEARING SCHEDULED FOR AUGUST 19, 2025 IS INVALID

The *Notice of Hearing* received by Defendant on July 15, 2025, indicates that Judge Baskin intends to preside over a hearing to address "all pending motions." This is a blatant procedural violation given that:

- Judge Baskin is barred from taking further action in this case,

- No written order denying the motion to disqualify exists,
- Defendant has filed an *Emergency Motion to Enforce Disqualification and for Immediate Reassignment*, which remains pending.

Any ruling entered by a judge acting without jurisdiction is void ab initio and must be set aside. Accordingly, Defendant objects to the scheduled hearing and affirms that he will not appear before a disqualified judge.

III. PRESERVATION OF RECORD AGAINST FRAUDULENT DEFAULT

Defendant anticipates that Plaintiff or the Court may attempt to provoke a procedural default by:

- Forcing Defendant to request remote appearance,
- Then denying said request,
- And subsequently entering default or adverse rulings based on "nonappearance."

This tactic would violate Defendant's constitutional right to due process under Article I, Sections 13 and 18 of the Idaho Constitution and the Fourteenth Amendment to the U.S. Constitution.

Further, any default or adverse ruling under these conditions would constitute fraud on the court and justify relief under I.R.C.P. 60(d)(3).

IV. PRESERVED FACTS OF JUDICIAL MISCONDUCT

Defendant reaffirms and supplements his prior Notices of Preserved Judicial Misconduct and Bias, filed on July 8 and July 15, 2025, which document Judge Baskin's ongoing pattern of jurisdictional violations, failure to recuse, and continued unlawful exercise of judicial authority in violation of I.R.C.P. 40(d). The following facts demonstrate continued misconduct:

1. Continued unlawful adjudication by a disqualified judge,
2. Improper scheduling of hearings in defiance of I.R.C.P. 40(d),
3. Procedural gamesmanship to force default,
4. Denial of access to neutral judicial review.

V. PRAYER FOR RELIEF

Defendant respectfully requests that:

1. The August 19, 2025 hearing be vacated immediately,
2. The case be reassigned to a neutral judge by the Administrative Judge as required by I.R.C.P. 40(d),
3. The Court take judicial notice of the procedural violations and preserved misconduct,
4. All future hearings be stayed until proper reassignment occurs.

Respectfully submitted,

DATED: July 16th, 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

DATED: July 16th, 2025

By: /s/ *Diego Rodriguez*
Diego Rodriguez