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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

**DEFENDANT'S THIRD NOTICE OF
PRESERVED JUDICIAL MISCONDUCT
AND REQUEST FOR
ADMINISTRATIVE ENFORCEMENT
OF REASSIGNMENT**

COMES NOW Defendant DIEGO RODRIGUEZ, pro se, and files this *Third Notice of Preserved Judicial Misconduct and Request for Administrative Enforcement of Reassignment* pursuant to I.R.C.P. 40(d) and Idaho Code § 1-907, and states the following:

I. BACKGROUND AND PRIOR FILINGS

1. On May 24, 2024, Defendant filed a *Motion to Disqualify Judge Nancy A. Baskin*, citing a pattern of bias, procedural irregularities, and unlawful rulings.

2. Under I.R.C.P. 40(d), Judge Baskin was immediately jurisdictionally barred from taking any further action in the case other than to grant or deny the motion.
3. To date, Judge Baskin has never issued a written order ruling on the motion to disqualify, and no reassignment has occurred.
4. Despite being disqualified by operation of law, Judge Baskin has continued to issue rulings, schedule hearings, and manage proceedings, in direct violation of Rule 40(d).
5. Defendant has now filed two prior Notices:
 - July 8, 2025: *Notice of Preserved Evidence of Judicial Misconduct and Bias*
 - July 15, 2025: *Second Notice of Preserved Judicial Misconduct and Bias*
6. On July 15, 2025, Defendant filed an ***Emergency Motion to Enforce Disqualification and for Immediate Reassignment to a Neutral Judge***, which remains unaddressed.
7. On July 16, 2025, Defendant filed an *Objection to Scheduled Hearing Before Disqualified Judge*, after receiving a July 14 Notice of Hearing from Judge Baskin, setting a hearing for August 19, 2025.

II. LEGAL BASIS FOR MANDATORY REASSIGNMENT

8. Pursuant to I.R.C.P. 40(d): *“Upon the filing of a motion for disqualification, the presiding judge must not act further in the action except to grant or deny the motion for disqualification. Upon disqualification of a judge for any reason, the administrative judge of the judicial district, or designee, must 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.”*
9. Further, under Idaho Code § 1-907, the Administrative Judge of the Judicial District has express supervisory authority to: *“Arrange schedules and assign district judges for sessions of district courts”* and *“Assign to other district judges in the district various powers and duties as in this act provided.”*
10. Defendant respectfully invokes both authorities and formally requests immediate administrative enforcement of Judge Baskin’s disqualification, including:
 - Cancellation of any proceedings presently set before Judge Baskin;
 - Entry of an administrative order reassigning this matter to a neutral judge;

- A formal bar on Judge Baskin issuing further rulings, *nunc pro tunc* or otherwise.

III. URGENCY AND RISK OF IRREPARABLE HARM

11. Judge Baskin has demonstrated a pattern of:

- Failing to rule on disqualification while continuing to adjudicate;
- Scheduling hearings post-disqualification;
- Ignoring procedural objections and emergency motions;
- Exposing Defendant to imminent rulings from a disqualified judicial officer.

12. This posture undermines public confidence in the integrity of the judiciary and threatens Defendant's right to due process, as guaranteed by Article I, Sections 13 and 18 of the Idaho Constitution.

13. As the Idaho Supreme Court held in *State v. Gorringer*, "*an order entered without subject matter jurisdiction is void.*" 168 Idaho 175, 481 P.3d 723 (2021).

PRAYER FOR RELIEF

WHEREFORE, Defendant respectfully requests:

1. That this Notice and Request be immediately reviewed by the Administrative District Judge for the Fourth Judicial District;
2. That an Order of Reassignment be entered forthwith;
3. That all proceedings currently scheduled before Judge Nancy Baskin be vacated;
4. That Judge Baskin be formally barred from further adjudication or rulings in this matter unless and until proper jurisdiction is restored.

Respectfully submitted,

DATED: July 24th, 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 24th, 2025

By: /s/ Diego Rodriguez
Diego Rodriguez