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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 SUPPLEMENTAL
NOTICE OF PRESERVATION OF
PROCEDURAL OBJECTION AND
CLARIFICATION OF LOCAL RULE
APPLICATION**

COMES NOW Defendant DIEGO RODRIGUEZ, pro se, and files this *Supplemental Notice to preserve his objections* to any future procedural dismissal or waiver of pending motions under Fourth Judicial District Local Rule 5.3. This Notice is filed in anticipation of potential judicial reliance on technicalities to sidestep constitutional issues and procedural misconduct now preserved in the record.

I. RELEVANT TEXT OF LOCAL RULE 5.3

Fourth Judicial District Local Rule 5.3, effective March 17, 2021, provides:

5.3. Failure to Notice for Hearing. *If within fourteen days of the filing date of a motion, a movant fails to notice the motion for hearing and fails to request the matter be decided without hearing, the court may consider the motion withdrawn.*

This rule is discretionary, not mandatory, and does not require automatic abandonment of a motion after 14 days. Moreover, it does not override state-level procedural requirements or due process rights guaranteed by the Idaho Constitution or the U.S. Constitution.

II. FACTUAL AND PROCEDURAL CONTEXT

1. Defendant has timely filed numerous motions, notices, and objections in this matter—including motions challenging judicial bias, jurisdiction, and violations of Idaho Rules of Civil Procedure 2.3(b) and 40(d).
2. Defendant has also consistently requested reassignment, clarity of the record, and judicial compliance with mandatory procedural duties.
3. No judge, including the Hon. Steven Hippler in his July 29, 2025 Order, has invoked or cited Local Rule 5.3 as a reason to disregard or deny any pending motions.
4. To date, the Court has scheduled a general hearing on “all pending motions” for August 19, 2025—thereby waiving any strict application of Local Rule 5.3, either expressly or by conduct.

III. PRESERVATION OF OBJECTION

Defendant formally objects to any future characterization of his motions as “abandoned” under Local Rule 5.3 on the following grounds:

- No explicit enforcement of Rule 5.3 has occurred in this case to date.
- The August 19, 2025 hearing is, by the Court’s own scheduling, an acknowledgment of the pendency of those motions.
- Many of Defendant’s motions raise constitutional and jurisdictional issues that cannot be waived or dismissed on purely procedural grounds without violating due process.
- Defendant, as a self-represented litigant, has acted with diligence and in good faith in filing motions and notices and preserving his rights.

IV. CLARIFICATION REQUESTED

To ensure the record is clear and complete, Defendant respectfully requests that the Court clarify whether it intends to invoke Local Rule 5.3 to deny or disregard any of Defendant's pending motions, including:

- The Motion to Disqualify Judge Baskin (still unresolved under Rule 2.3(b));
- The Motion to Reduce Oral Ruling to Writing;
- The Objection to Hearing Before Disqualified Judge;
- And any other pending filings.

If the Court now seeks to invoke Local Rule 5.3 in a retroactive, selective, or inconsistent manner—despite previously proceeding on all pending motions—to dismiss Defendant's motions, Defendant respectfully demands an opportunity to file a constitutional challenge and seek appropriate relief.

V. CONCLUSION

This Supplemental Notice is filed to prevent procedural gamesmanship and to preserve Defendant's objections for appellate review. No rule—local or statewide—may be used to circumvent core due process protections, jurisdictional prerequisites, or the integrity of the judicial process.

RESPECTFULLY SUBMITTED this 29th day of July, 2025.

Respectfully submitted,

DATED: July 29th, 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
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☐ By Mail
☐ By fax
☒ By Email/iCourt/eServe

DATED: July 29th, 2025

By: /s/ Diego Rodriguez
Diego Rodriguez