

1 *Jeremy L. Bass, Pro Se*
2 *1515 2nd Ave*
3 *Lewiston, ID 83501-3926*
4 *Ph: 208-549-9584*
5 *Quantum.J.L.Bass@RAWdeal.io*

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7 **IN THE DISTRICT COURT FOR THE SECOND JUDICIAL DISTRICT**
8 **FOR THE STATE OF IDAHO, IN AND FOR NEZ PERCE COUNTY**

DPW Enterprises LLC and Mountain Prime 2018
LLC,

Plaintiff,

vs.

Jeremy L. Bass, Dwayne Pike, and Current
occupant, and Unknown Parties in
Possession of the real property commonly
known as 1515 21st Avenue, Lewiston,
Idaho 83501

Defendants.

Case No. CV35-24-1063

**MOTION FOR LEAVE
TO SUBMIT SUPPLEMENTAL AUTHORITY**

DEMAND FOR JURY

9
10 COMES NOW the Defendant Jeremy L. Bass (hereinafter "Defendant Bass"), perforce
11 representing himself pro se, and respectfully moves this Honorable Court for leave to submit
12 supplemental authority relevant to the Plaintiffs' Motion for Summary Judgment. This
13 supplemental authority provides clarification on Idaho law, particularly in the context of
14 foreclosure sales and the legal status of good faith purchasers. The supplemental authorities
15 were not available at the time of the original filings but are pertinent to the legal issues
16 presented. The Defendant's request is supported by Idaho case law, which permits the
17 submission of supplemental authority in order to ensure that the court has a comprehensive
18 understanding of the legal standards applicable to the matter at hand.

19 **I. INTRODUCTION**

20 Idaho courts recognize that a party may be granted leave to submit supplemental authority
21 after a hearing, particularly when it clarifies important legal issues before the court. The Idaho
22 Supreme Court acknowledged in *Reclaim Idaho v. Denney* that, "The [Plaintiffs] asserted that the

1 declarations were submitted too late for any reply, were unfair to the [Plaintiffs], and [a
2 particular] declaration was too speculative. Typically, a motion to file a supplemental declaration
3 is granted with a showing of good cause." *Reclaim Idaho v. Denney (In re Writ of Prohibition)*, 169
4 *Idaho 406, 417, 497 P.3d 160, 171 (2021)*. Defendant Bass submits that the supplemental
5 authorities presented here meet the requisite standard of good cause and will assist the Court in
6 resolving the legal issues presented by Plaintiffs' Motion for Summary Judgment.

7 II. LEGAL STANDARD

8 The Idaho Supreme Court has consistently held that the court has discretion to permit
9 supplemental submissions to ensure all legal issues are adequately addressed before a ruling is
10 made. For instance, in *La Bella Vita, Ltd. Liab. Co. v. Shuler*, the court noted that "[the defendant]
11 agreed to this condition and represented that no additional argument would be offered. On the
12 issue of supplementation, the court ruled from the bench, permitting the submission of the
13 outstanding discovery materials while cautioning the parties that additional argument would not
14 be considered" *La Bella Vita, Ltd. Liab. Co. v. Shuler*, 158 *Idaho 799, 803, 353 P.3d 420, 424 (2015)*.

15 In this case, the supplemental authorities offered by Defendant Bass provide crucial legal
16 context and should be considered by the Court in rendering its decision on summary judgment.
17 These authorities do not introduce new arguments or facts; they solely address questions of
18 authority posed to the Defendant during the hearing.

19 Similarly, in *Reclaim Idaho v. Denney*, the court recognized that "a motion to file a
20 supplemental declaration is granted with a showing of good cause." *Reclaim Idaho v. Denney (In*
21 *re Writ of Prohibition)*, 169 *Idaho 406, 417, 497 P.3d 160, 171 (2021)*. Defendant Bass submits that
22 the supplemental authorities presented here provide crucial legal context, meeting the standard
23 of good cause, and will aid the Court in addressing issues raised in the Plaintiffs' Motion for
24 Summary Judgment without introducing new arguments or facts.

1 In *Hastings v. Idaho Dep't of Water Res.*, the Idaho Supreme Court allowed limited
2 supplemental briefing on procedural matters, finding that supplemental materials may be
3 submitted when they clarify procedural or factual points crucial to the case. *Hastings v. Idaho*
4 *Dep't of Water Res.*, 547 P.3d 1190, 2024 Ida. LEXIS 42 (2024). Defendant Bass's request follows this
5 precedent by ensuring that the Court has access to all relevant legal authorities without
6 introducing new facts into the record.

7 III. AUTHORITY FOR SUPPLEMENTATION

8 The submission of supplemental authorities at this juncture, although rare, is consistent
9 with Idaho's approach to ensuring that all relevant legal principles are fully considered before
10 the Court renders a decision. Idaho precedent supports this rare but crucial procedural
11 discretion when supplemental authorities are essential to clarifying legal standards relevant to
12 the case.

13 III. CONCLUSION

14 For the reasons set forth above, Defendant Bass respectfully requests that this Court grant
15 leave to submit the supplemental authorities cited herein. Allowing these supplemental filings
16 will ensure that the Court has the benefit of a full legal analysis before ruling on the Plaintiffs'
17 Motion for Summary Judgment, consistent with Idaho precedent and the principles of fairness
18 and justice.

Dated this 25 day of October 2024.

Respectfully submitted,
Jeremy L. Bass
Defendant/ Pro Se

Signature

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CERTIFICATE OF MAILING

I certify that I have sent by email and first-class mail this MOTION FOR LEAVE TO SUBMIT SUPPLEMENTAL AUTHORITY to Plaintiffs on October 25th, 2024, at the following email address and postal address:

Email: lewis@hwmlawfirm.com Postal: Lewis N. Stoddard, Bar No. 7766 Halliday, Watkins & Mann, P.C. 376 East 400 South, Suite 300 Salt Lake City, UT 84111	Ken Nagy Idaho Legal Aid Services, Inc. Email: kennagy@idaholegalaid.org Counsel for Dwayne Pike
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Jeremy L. Bass
Defendant

Signature

ACKNOWLEDGMENT

STATE OF IDAHO)

: ss.

County of NEZ PERCE COUNTY)

On the _25_ day of __October__, 2024, before me, the undersigned Notary Public, personally appeared __Jeremy Bass__, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

Notary Public for Idaho

Residing at _____

Commission Expires: _____