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**IN THE DISTRICT COURT FOR THE SECOND JUDICIAL DISTRICT**

**FOR THE STATE OF IDAHO, IN AND FOR NEZ PERCE COUNTY**

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| 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** |

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

**I. INTRODUCTION**

Idaho courts recognize that a party may be granted leave to submit supplemental authority after a hearing, particularly when it clarifies important legal issues before the court. The Idaho Supreme Court acknowledged in ***Reclaim Idaho v. Denney*** that, "The [Plaintiffs] asserted that the declarations were submitted too late for any reply, were unfair to the *[Plaintiffs]*, and *[a particular]* declaration was too speculative. Typically, a motion to file a supplemental declaration is granted with a showing of good cause." ***Reclaim Idaho v. Denney (In re Writ of Prohibition), 169 Idaho 406, 417, 497 P.3d 160, 171 (2021)***. Defendant Bass submits that the supplemental authorities presented here meet the requisite standard of good cause and will assist the Court in resolving the legal issues presented by Plaintiffs' Motion for Summary Judgment.

**II. LEGAL STANDARD**

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

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

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

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

**III. AUTHORITY FOR SUPPLEMENTATION**

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

**III. CONCLUSION**

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

Dated this \_28th\_ day of October 2024.

Respectfully submitted,

Jeremy L. Bass

Defendant/ Perforce Pro Se

Signature

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 28th, 2024, at the following email address and postal address:

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| --- | --- |
| 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 |

Jeremy L. Bass

Defendant/ Perforce Pro Se

Signature

**ACKNOWLEDGMENT**

STATE OF IDAHO )

: ss.

County of NEZ PERCE )

On the \_28th\_\_ 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: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_