

SUPREME COURT OF IDAHO

Twin Falls County v. Coates, 139 Idaho 442

80 P.3d 1043 (2003) · No. No. 28397 · Decided November 20, 2003

SUMMARY

The Idaho Supreme Court affirmed a district court judgment concerning the distribution of proceeds from the county’s sale of dairy cattle seized for lack of proper care. The court held that the owners’ challenge to the county’s judgment was untimely and that the Evanses’ possessory lien was not lost because the county took possession through its police power. The court also awarded attorney fees and costs on appeal to the respondents.

CASE DETAILS

COURT	Supreme Court of Idaho
WRITING FOR THE COURT	Eismann, Justice; Eismann; Kidwell; Schilling; Schroeder; Trout
JURISDICTION	Idaho
DECIDED	November 20, 2003
DOCKET	No. 28397
DISPOSITION	affirmed
PROCEDURAL POSTURE	The Coateses appealed from the denial of their motion for a new trial and the district court's final judgment distributing proceeds from the sale of seized cattle. They also attempted to challenge an earlier Rule 54(b)-certified judgment in favor of Twin Falls County, but their notice of appeal was filed more than twenty-one months after the applicable deadline.
STANDARD OF REVIEW	Whether a timely notice of appeal was filed is jurisdictional. The appellate court reviewed the legal effect of the filing deadline and the undisputed procedural history de novo; the opinion did not state a separate standard for the lien issue.
PRECEDENTIAL VALUE	Published Idaho Supreme Court opinion; precedential
PARTIES	William Coates, Jr., Julie Coates v. Twin Falls County, William and Christina Evans

TOPICS

appellate jurisdiction

appellate procedure

final judgment rule

default judgment

attorney fees

PRACTICE AREAS

Appellate procedure

Civil procedure

Remedies

Municipal law

QUESTIONS PRESENTED

1. Whether the Coateses could challenge the district court's Rule 54(b)-certified judgment in favor of Twin Falls County when they filed their notice of appeal more than forty-two days after that judgment.
2. Whether the Evanses' possessory lien was lost when Twin Falls County, exercising its police power, took possession of the cattle.
3. Whether the appeal warranted an award of attorney fees to Twin Falls County and the Evanses under Idaho Code section 12-121.

HOLDINGS

1. A timely notice of appeal is a jurisdictional prerequisite to challenging a lower-court decision; because the Coateses appealed the Rule 54(b)-certified County judgment more than forty-two days after entry, the Supreme Court could not consider their challenge to that judgment.
2. The Evanses did not lose their possession-dependent lien when Twin Falls County took possession of the cattle in the exercise of its police power, because the Evanses did not voluntarily relinquish possession or restore the cattle to the owner.
3. Twin Falls County and the Evanses were entitled to attorney fees on appeal because the Coateses pursued arguments that were untimely, frivolous, unreasonable, or without foundation.

KEY QUOTATIONS

“A timely notice of appeal is a jurisdictional prerequisite to challenge a decision made by a lower court.”
(139 Idaho at 443)

“Pro se litigants are held to the same standards and rules as those represented by an attorney.” (139 Idaho at 444)

FACTUAL BACKGROUND

William Coates, Jr. leased a dairy barn and pasture from William and Christina Evans and later stopped feeding and watering his cattle after learning that the dairy would not receive Grade A certification. The Evanses asserted a lien for unpaid hay, pasture, and rent, and Coates agreed to pay \$3,000 immediately and secure the remaining \$3,000. Before he could remove the cattle, Twin Falls County seized them for lack of proper care, sold them at auction for \$22,745.04, and sought reimbursement for their care and distribution of the remaining proceeds.

PROCEDURAL HISTORY

Twin Falls County seized and sold the cattle, then brought an action to recover the costs of caring for them and to determine entitlement to the sale proceeds. The district court awarded the County \$6,842.68 based on a jury

verdict and certified that judgment as final under Idaho Rule of Civil Procedure 54(b). After the remaining claims were resolved, the district court entered judgment awarding the Evanses \$3,000 plus interest from the remaining proceeds and dismissing the other claims. The Coateses' motion for a new trial was denied, and they appealed.

DISPOSITION

affirmed

CASES CITED

- Miller v. Board of Trustees, 132 Idaho 244, 970 P.2d 512 (1998)
- Dunlap v. Cassia Memorial Hospital and Medical Center, 134 Idaho 233, 999 P.2d 888 (2000)
- Ag Services of America, Inc. v. Kechter, 137 Idaho 62, 44 P.3d 1117 (2002)
- Gustaves v. Gustaves, 138 Idaho 64, 57 P.3d 775 (2002)
- Golay v. Loomis, 118 Idaho 387, 797 P.2d 95 (1990)
- King v. Lang, 136 Idaho 905, 42 P.3d 698 (2002)
- Bowles v. Pro Indiviso, Inc., 132 Idaho 371, 973 P.2d 142 (1999)

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