

SUPREME COURT OF WYOMING

Russ Ropken and Debi Ropken v. YJ Construction, Inc., a Wyoming corporation

2025 WY 131 (Wyo. 2025) · No. S-25-0001 · Decided December 11, 2025

SUMMARY

The Wyoming Supreme Court affirmed an award of prejudgment interest following a jury verdict in favor of YJ Construction for unpaid construction work. The Court held that a district court may determine and award prejudgment interest even when a jury decided the underlying damages, and that the claim was liquidated and adequately noticed. The Court also declined to consider the appellants’ due process argument because it was not raised in the district court.

CASE DETAILS

COURT	Supreme Court of Wyoming
WRITING FOR THE COURT	HILL, Justice; BOOMGAARDEN, C.J.; GRAY, J.; FENN, J.; JAROSH, J.; HILL, J.
JURISDICTION	Supreme Court of Wyoming
DECIDED	December 11, 2025
DOCKET	S-25-0001
DISPOSITION	affirmed
PROCEDURAL POSTURE	The defendants appealed a district court order awarding the plaintiff \$33,473.25 in prejudgment interest after a jury awarded the plaintiff breach-of-contract damages.
STANDARD OF REVIEW	Whether a district court is entitled to award prejudgment interest is reviewed de novo; whether prejudgment interest should be awarded is reviewed for abuse of discretion. Constitutional due-process questions are reviewed de novo, but issues not raised below are ordinarily not considered absent jurisdictional or fundamental error.
PRECEDENTIAL VALUE	published
PARTIES	Russ Ropken, Debi Ropken v. YJ Construction, Inc.

TOPICS

- construction law
- breach of contract
- damages
- appellate procedure
- due process

PRACTICE AREAS

construction law

contracts

remedies

appellate procedure

constitutional law

QUESTIONS PRESENTED

1. Whether a Wyoming district court may award prejudgment interest when a jury, rather than the court, determined the underlying damages.
2. Whether YJ's damages claim was liquidated and whether the Ropkens received sufficient notice of the amount due to support prejudgment interest.
3. Whether awarding prejudgment interest without an evidentiary hearing violated the Ropkens' due-process rights.

HOLDINGS

1. A Wyoming district court has authority to consider and award prejudgment interest even when it was not the trier of fact.
2. YJ was entitled to prejudgment interest because its claim was liquidated and the Ropkens received notice of the amount due before interest began to accrue.
3. The court declined to consider the Ropkens' due-process claim because they did not raise it in the district court and did not show that the claim was jurisdictional or fundamental in nature.

KEY QUOTATIONS

“We further take this opportunity to expressly state that a district court has authority to and may consider and award prejudgment interest even when it is not the trier of fact.” (¶ 19)

“Prejudgment interest is available if a two-part test is met: (1) the claim must be liquidated, as opposed to unliquidated, meaning it is readily computable via simple mathematics; and (2) the debtor must receive notice of the amount due before interest begins to accumulate.” (¶ 10)

“The touchstones of due process are notice and the opportunity to be heard, which must be appropriate and proportional to the nature of the case.” (¶ 35)

FACTUAL BACKGROUND

The Ropkens orally agreed that YJ Construction would build a custom home and initially paid YJ's invoices. They stopped paying beginning with the May 2022 invoice and removed YJ from the construction site in July 2022. YJ sent a demand letter identifying three unpaid invoices totaling \$276,169, and the jury later awarded YJ \$258,587.70 for the completed construction work. The district court awarded \$33,473.25 in prejudgment interest, calculated at seven percent for 675 days.

PROCEDURAL HISTORY

YJ Construction sued the Ropkens for payment of three unpaid construction invoices. A jury found a valid contract, an unexcused breach, and awarded YJ \$258,587.70. After judgment was entered, the district court awarded YJ prejudgment interest under the statutory seven-percent rate without conducting an evidentiary

hearing. The Wyoming Supreme Court affirmed the prejudgment-interest award and declined to consider the Ropkens' unpreserved due-process claim.

DISPOSITION

affirmed

CASES CITED

- Fuger v. Wagoner, 2024 WY 73, 551 P.3d 1085
- Hanft v. City of Laramie, 2021 WY 52, 485 P.3d 369
- Rissler & McMurry Co. v. Atl. Richfield Co., 559 P.2d 25 (Wyo. 1977)
- Cargill, Inc. v. Mountain Cement Co., 891 P.2d 57 (Wyo. 1995)
- Stocki v. Nunn, 2015 WY 75, 351 P.3d 911
- Pennant Serv. Co. v. True Oil Co., 2011 WY 40, 249 P.3d 698
- Universal Drilling Co., LLC v. R & R Rig Serv., LLC, 2012 WY 31, 271 P.3d 987
- Stewart Title Guar. Co. v. Tilden, 2008 WY 46, 181 P.3d 94
- Lew v. Lew, 2019 WY 99, 449 P.3d 683
- Pokrovskaya v. Van Genderen, 2025 WY 50, 567 P.3d 1172
- Rush v. Golkowski, 2021 WY 27, 480 P.3d 1174
- Matter of Guardianship of DEP, 2021 WY 122, 497 P.3d 928