

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

The Estate of Dustin Rizzo, Carl Rizzo, as personal representative of the Estate of Dustin Rizzo and individually, as the father of Dustin Rizzo; Viola Josephine “Jodee” Rizzo, as the mother of Dustin Rizzo; and Britney Roberson, on behalf of and as the parent and natural guardian of T.R., a minor child, J.R., a minor child and O.R., a minor child v. Kayla Stephens, in her individual capacity

Rizzo v. Stephens · No. 1:25-cv-00384-DKG · Decided March 2, 2026

SUMMARY

The United States District Court for the District of Idaho denied Defendant Kayla Stephens’s motion to stay a federal civil rights action pending a parallel Idaho state-court proceeding. The court held that the actions were not sufficiently parallel because they involved different defendants and claims, and that the Colorado River factors would not justify a stay even if the proceedings were parallel.

CASE DETAILS

COURT	United States District Court for the District of Idaho
WRITING FOR THE COURT	B. Lynn Winmill
JURISDICTION	United States District Court for the District of Idaho
DECIDED	March 2, 2026
DOCKET	1:25-cv-00384-DKG
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved to stay the federal civil-rights action under Colorado River abstention based on a parallel state-court action arising from the same underlying events.
STANDARD OF REVIEW	A stay under Colorado River is appropriate only in exceptional circumstances, and the decision is reviewed under an abuse-of-discretion framework.
PRECEDENTIAL VALUE	Unknown; memorandum decision and order from a federal district court

TOPICS

civil procedure

fourteenth amendment

due process

section 1983

PRACTICE AREAS

civil procedure

constitutional law

civil rights

QUESTIONS PRESENTED

1. Whether the federal and state actions were sufficiently parallel to permit a stay under Colorado River.
2. Whether a stay was warranted under the Colorado River factors even if the federal and state actions were substantially similar.

HOLDINGS

1. The federal and state actions were not substantially similar because they involved different parties and materially different claims; therefore, Colorado River abstention was inapplicable.
2. Even assuming the actions were parallel, a stay was unwarranted because the federal forum was not inconvenient, the risk of piecemeal litigation was minimal, the federal case presented exclusively federal-law questions, the cases were filed simultaneously, and there was no indication of forum shopping.

KEY QUOTATIONS

“Federal courts have “a virtually unflagging obligation” to exercise their jurisdiction, so a stay is appropriate only under exceptional circumstances, when strong countervailing state interests are at stake.”

“In conclusion, the state and federal actions are nowhere close to similar enough to justify a stay under Colorado River. It would be an abuse of discretion for this Court to refuse to exercise its jurisdiction.”

FACTUAL BACKGROUND

The case arises from the suicide of Dustin Rizzo after the Idaho Department of Health and Welfare removed two children from his and Britney Roberson's custody. Plaintiffs allege that caseworker Kayla Stephens obstructed reunification efforts, including by disputing Rizzo's completion of required programs and restricting visitation. Plaintiffs brought federal constitutional claims against Stephens, while a simultaneous state action asserted state-law negligence and wrongful-death claims against Stephens and additional defendants.

PROCEDURAL HISTORY

Plaintiffs filed this federal action in July 2025 asserting Fourteenth Amendment claims against Kayla Stephens. On the same day, they filed a separate action in Canyon County District Court against Stephens, the Idaho Department of Health and Welfare, and Stephens's supervisors, asserting state-law claims including wrongful death, negligence, and negligent supervision. Stephens moved to stay the federal action, and the district court denied the motion.

DISPOSITION

other

CASES CITED

- Colorado River Water Conservation Dist. v. United States, 424 U.S. 800, 813-14 (1976)
- Moses H. Cone Mem’l Hosp. v. Mercury Constr. Corp., 460 U.S. 1, 28 (1983)
- R.R. St. & Co. Inc. v. Transport Ins. Co., 656 F.3d 966, 978-79 (9th Cir. 2011)
- Am. Int’l Underwriters (Philippines), Inc. v. Cont’l Ins. Co., 843 F.2d 1253, 1257 (9th Cir. 1988)
- Travelers Indem. Co. v. Madonna, 914 F.2d 1364, 1369 (9th Cir. 1990)
- Nakash v. Marciano, 882 F.2d 1411, 1416 (9th Cir. 1989)
- SripsAmerica, Inc. v. Ironridge Glob. IV, Ltd., 56 F. Supp. 3d 1121, 1147 (C.D. Cal. 2014)
- Bauer v. Bonner County, Idaho, 2:22-CV-00270-DCN, 2022 WL 7515082, at *5 (D. Idaho Oct. 13, 2022)
- Montanore Mins. Corp. v. Bakie, 867 F.3d 1160, 1167 (9th Cir. 2017)

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