

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

Butte County v. Chris Wright, in his official capacity as Secretary of Energy; and the United States Department of Energy

Butte County v. Wright · No. 1:23-cv-00093-DCN · Decided June 25, 2026

SUMMARY

The United States District Court for the District of Idaho grants Butte County’s motion for entry of final judgment. Although the County sought dismissal without prejudice to facilitate an appeal, the court determines that dismissal with prejudice is appropriate because amendment had been allowed and finality would aid appellate jurisdiction. The court directs that a separate judgment be entered under Federal Rule of Civil Procedure 58.

CASE DETAILS

COURT	United States District Court for the District of Idaho
WRITING FOR THE COURT	David C. Nye
JURISDICTION	United States District Court for the District of Idaho
DECIDED	June 25, 2026
DOCKET	1:23-cv-00093-DCN
DISPOSITION	other
PROCEDURAL POSTURE	After the court dismissed the action without prejudice and denied the plaintiff's initial motion for leave to amend, the plaintiff sought entry of final judgment so it could pursue an appeal. The court granted the motion and ordered dismissal with prejudice.
PRECEDENTIAL VALUE	Unknown

TOPICS

- appellate jurisdiction
- final judgment rule
- appellate procedure
- civil procedure
- motions to dismiss

PRACTICE AREAS

- civil procedure
- administrative law
- appellate procedure

QUESTIONS PRESENTED

1. Whether the district court should enter final judgment dismissing Butte County's claims with prejudice or without prejudice.
2. Whether entry of a judgment with prejudice was the appropriate procedural means to ensure that the district court proceedings had concluded and permit an appeal.

HOLDINGS

1. The court held that Butte County's claims should be dismissed with prejudice rather than without prejudice.

KEY QUOTATIONS

"This ensures there is no question that proceedings have concluded in front of the district court and Butte County can appeal." (Mem. Dec. & Order at 3-4)

FACTUAL BACKGROUND

Butte County's claims had previously been dismissed without prejudice after the district court granted defendants' motion to dismiss. The court had denied Butte County's initial motion for leave to amend but provided an opportunity to file a renewed motion, which Butte County did not pursue. After the Ninth Circuit dismissed Butte County's appeal for lack of a final decision, Butte County sought entry of final judgment to permit appellate review.

PROCEDURAL HISTORY

Butte County filed its complaint on March 6, 2023. On February 1, 2024, the court granted defendants' motion to dismiss and entered judgment without prejudice, while allowing Butte County to choose whether to seek amendment or appeal. Butte County moved for leave to amend; the court denied that motion on March 31, 2025, and allowed 30 days for a renewed motion. Butte County filed no renewed motion and appealed. The Ninth Circuit dismissed the appeal for lack of jurisdiction under 28 U.S.C. § 1291 because the district court had provided a final opportunity to amend. Butte County then moved for entry of final judgment, which the district court granted by directing a separate judgment dismissing the claims with prejudice.

DISPOSITION

other

CASES CITED

- WMX Technologies, Inc. v. Miller, 104 F.3d 1133 (9th Cir. 1997) (en banc)
- Elosu v. Middlefork Ranch Inc., Case No. 1:19-cv-00267, Dkt. 48
- J.R. Simplot v. McCain Foods USA, Case No. 1:16-cv-00449, Dkt. 484