

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

CHRISTY LOVELAND, FIDEL MOLINA,

Plaintiffs,

v.

ADA COUNTY, AMANDA CASE,  
KAREN ALLEN, JAMES CAWTHON,  
GALEN CARLSON,

Defendants.

Case No. 1:18-CV-352-BLW

**MEMORANDUM DECISION  
AND ORDER**

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**MEMORANDUM DECISION**

The Court has before it two motions for default filed by plaintiffs. The material filed with the motions show that summons were not served in compliance with Rule 4 of either the Federal or Idaho Rules of Civil Procedure. Accordingly, the motions for default will be denied.

The Court also has before it plaintiffs' "separate and concise statement of facts in opposition to defendant's motion for summary judgment and motion for execution 2078." The document appears to be a motion of some type in response to a perceived motion for summary judgment. But the defendants have not filed any motion for summary judgment. The document also appears to raise a RICO claim but that is not asserted in the complaint. Accordingly, this motion will be denied.

The Court also has before it a motion for hearing filed by plaintiff. The Court will deny this motion at this time and determine, after reviewing the full briefing on the pending motion to dismiss, whether a hearing is necessary.

Finally, plaintiffs have filed a motion to expedite. The motion fails to set forth good grounds to expedite the process of resolving the pending motion to dismiss. Accordingly, this motion will be denied.

### **ORDER**

In accordance with the Memorandum Decision above,

NOW THEREFORE IT IS HEREBY ORDERED, that the motions for default (docket nos. 8 & 9) are DENIED.

IT IS FURTHER ORDERED, that the plaintiffs' separate and concise statement of facts in opposition to defendants' motion for summary judgment (docket no. 15) is DENIED.

IT IS FURTHER ORDERED, that the motion for hearing (docket no. 17) and the motion to expedite (docket no. 20) are DENIED.



DATED: January 17, 2019

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. Lynn Winmill  
United States District Judge