

Victor S. Villegas [ISB No. 5860]  
BORTON-LAKEY LAW & POLICY  
141 E. Carlton Ave.  
Meridian, ID 83642  
Office: (208) 908-4415  
Fax: (208) 493-4610  
Email: [victor@borton-lakey.com](mailto:victor@borton-lakey.com)

*Attorneys for Proposed Amici, City of Eagle*

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

ADA COUNTY, a duly formed and existing  
county pursuant to the laws and Constitution  
of the State of Idaho,

Petitioner,

v.

IDAHO COMMISSION FOR  
REAPPORTIONMENT, and LAWRENCE  
DENNEY, Secretary of State of the State of  
Idaho, in his official capacity,

Respondents.

**Supreme Court Docket  
No. 49267-2021**

**CITY OF EAGLE'S MOTION FOR  
LEAVE TO FILE AMICUS CURIAE  
BRIEF IN SUPPORT OF ADA COUNTY'S  
PETITION CHALLENGING THE  
CONSITUTIONALITY OF  
REAPPORTIONMENT PLAN L03**

The CITY OF EAGLE, IDAHO ("Eagle"), through its attorney of record, Victor Villegas of the firm Borton-Lakey Law Offices, pursuant to Idaho Appellate Rule 8, moves for leave to file an amicus curiae brief in support of Ada County's Petition Challenging the Constitutionality of Reapportionment Plan L03.

## STATEMENT OF INTEREST

Eagle desires to submit an amicus brief in support of Ada County's Petition because it is similarly situated as a political subdivision in the State of Idaho that will be affected by Reapportionment Plan L03. Eagle's interest is similar to Ada County's in that both political subdivisions are interested in minimizing disruption and confusion, and in continuing cohesive development in similarly-situated areas. While Eagle has similar interests to Ada County, it also has specific and unique interests in the outcome of this matter. The privilege of being heard amicus rests within the broad discretion of the court, which may grant, or refuse leave accordingly if it deems the proffered information timely, useful, or otherwise helpful. *Hoptowit v. Ray*, 682 F.2d 1237, 1260 (9th Cir. 1982); *Green v. United States*, 996 F.2d 973, 978 (9th Cir. 1993). Eagle submits this motion in the interest of presenting such information that will show its own unique issues and drawbacks that would come from implementing Reapportionment Plan L03.

Currently, Eagle is in a District that encompasses part of the City of Star. Eagle is interested in preserving the current split because the City of Star and Eagle have similar Comprehensive Plans that work together to see future development in their portion of Ada County. The values of the local governments and its citizens align with the vision of the two cities. The proposed redistricting places Eagle in a District with portions of Gem County. This presents a unique problem for Eagle because the City of Emmett and portions of Gem County are very agricultural, and the Comprehensive Plans in that area focus on farmland and agricultural preservation. The values of the local governments and citizens do not align and redistricting in the proposed manner would likely stifle Eagle's development interests. Eagle moves to submit a brief that will outline its specific interests in preserving the current districting and will show that

redistricting as proposed would be a detriment to its local elected officials, and its voters and taxpayers.

**LEAVE SOUGHT FOR BRIEFING ONLY**

Eagle moves only to submit a written brief and does not request to be heard in oral argument.

DATED this 14 day of December, 2021.

BORTON-LAKEY LAW OFFICES

By: Victor Villegas  
Victor Villegas  
Attorneys for City of Eagle

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 14 day of, December, 2021, a true and correct copy of the within and foregoing instrument was served upon:

Jan M. Bennetts  
Ada County Prosecuting Attorney  
200 W. Front Street, Rm 3191  
Boise, ID 83702  
[civilpfiles@adaweb.net](mailto:civilpfiles@adaweb.net)

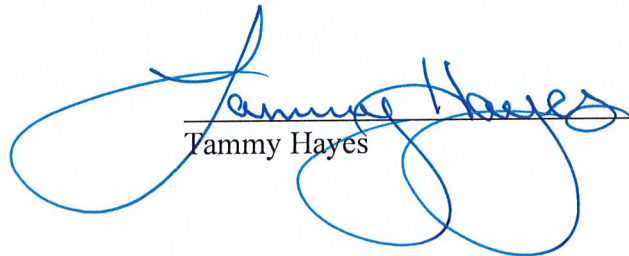
- U.S. Mail
- Facsimile
- Hand Delivery
- E-filing/Email

Idaho Commission for Reapportionment  
P.O. Box 83720  
Boise, ID 83720  
[redistricting@redistricting.idaho.gov](mailto:redistricting@redistricting.idaho.gov)

- U.S. Mail
- Facsimile
- Hand Delivery
- E-filing/Email

Lawrence Denney  
Idaho Secretary of State  
450 N. 4<sup>th</sup> Street  
Boise, ID 83702  
[elections@sos.idaho.gov](mailto:elections@sos.idaho.gov)

- U.S. Mail
- Facsimile
- Hand Delivery
- E-filing/Email

  
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Tammy Hayes