

# In the Supreme Court of the State of Idaho

**BRANDEN JOHN DURST, a qualified elector** )  
**of the State of Idaho,** )

**Petitioner,** )

**v.** )

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

**Respondents.** )

---

**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 LAWERENCE** )  
**DENNEY, Secretary of State of the State of** )  
**Idaho, in his official capacity,** )

**Respondents.** )

---

**SPENCER STUCKI, registered voter pursuant** )  
**to the laws and Constitution of the State of** )  
**Idaho,** )

**Petitioner,** )

**v.** )

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

**Order to Consolidate and Set Briefing**  
**Schedule**

Supreme Court Docket Nos. 49261-  
2021, 49267-2021, 49295-2021 and  
49353-2021

**Respondents.** )  
 \_\_\_\_\_ )  
**CHIEF J. ALLAN, a registered voter of the** )  
**State of Idaho and Chairman of the Coeur** )  
**d'Alene, Tribe, and DEVON BOYER, a** )  
**registered voter of the State of Idaho and** )  
**Chairman of the Shoshone-Bannock Tribes,** )  
**Petitioners,** )  
**v.** )  
**IDAHO COMMISSION FOR** )  
**REAPORTIONMENT, and LAWERENCE** )  
**DENNEY, Secretary of State of the State of** )  
**Idaho, in his official capacity,** )  
**Respondents.** )  
 \_\_\_\_\_ )

On November 23, 2021, this Court entered an Order Consolidating Actions and Resetting Briefing Schedule consolidating Supreme Court Docket No. 49261-2021 *Durst v. Idaho Commission for Reapportionment* and Supreme Court Docket No. 49267-2021 *Ada County v. Idaho Commission for Reapportionment*.

On December 1, 2021, a Petition Challenging Adopted Redistricting Plan L03 was filed by Petitioner, Spencer E. Stucki, in Supreme Court Docket No. 49295-2021 *Stucki v. Idaho Commission for Reapportionment*. This Court conditionally dismissed Stucki's Petition because it was not verified. However, a Verified Petition Challenging Adopted Redistricting Plan L03 was filed by Petitioner Spencer E. Stucki on December 8, 2021.

On December 16, 2021, a Verified Petition Challenging Adopted Redistricting Plan L03 was filed by Petitioners Chief J. Allan and Devon Boyer in Supreme Court Docket No. 49353-2021 *Allan v. Idaho Commission for Reapportionment*. Petitioners Allan and Boyer also filed a motion to consolidate their case with *Durst* and *Ada County*.

On December 16, 2021, Petitioner Ada County filed a Notice of Non-Opposition to the Motion to Consolidate filed by Petitioners Allan and Boyer in Docket No. 49353-2021.

WHEREAS, it appearing that Supreme Court Docket Nos. 49295-2021 and 49353-2021,

should be consolidated with previously consolidated Supreme Court Docket Nos. 49261-2021 and 49267-2021 as all four of these actions challenge legislative redistricting plan L03; therefore,

THIS COURT ORDERS AS FOLLOWS:

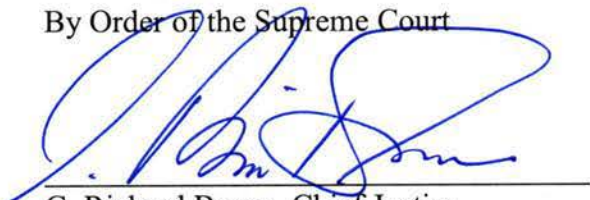
Supreme Court Docket No. 49295-2021, *Stucki v. Idaho Commission for Reapportionment*, and Docket No. 49353-2021, *Allan v. Idaho Commission for Reapportionment*, shall be consolidated with Docket No. 49261-2021 *Durst v. Idaho Commission for Reapportionment* and Docket No. 49267-2021 *Ada County v. Idaho Commission for Reapportionment* for purposes of oral argument and opinion. *Durst v. Idaho Commission for Reapportionment* is designated as the lead case. All documents filed after the date of this Order shall be filed in Docket No. 49261-2021, and include all four docket numbers.

All briefing dates in *Stucki* remain as currently set. Briefing in *Allan* shall be as follows: RESPONDENTS SHALL FILE THEIR RESPONDENT'S BRIEF NO LATER THAN DECEMBER 30, 2021, at 5 p.m. M.S.T. PETITIONERS MAY FILE A REPLY BRIEF NO LATER THAN JANUARY 7, 2022, at 5 p.m. M.S.T.

Oral argument remains set for Friday, January 14, 2022, at 1:30 p.m. M.S.T.


DATED this 17th day of December, 2021.

By Order of the Supreme Court



G. Richard Bevan, Chief Justice

ATTEST:



Melanie Gagnepain, Clerk

cc: Counsel of Record  
Brandon John Durst

Counsel of Record  
Ada County

Counsel of Record

Spencer Stucki  
Counsel of Record  
Chief J. Allan and Devon Boyer

Counsel of Record  
Idaho Commission for  
Reapportionment