

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

NICOLE RENEE CROSBY,

Plaintiff,

vs.

BENCIT LAW, MAGISTRATE JUDGE
ROBINSON, SHAWN GOUGH, and
NORTH CANYON HOSPITAL,

Defendants.

Case No. 1:24-cv-00472-BLW

**SECOND SUCCESSIVE REVIEW
ORDER BY SCREENING JUDGE**

Plaintiff Nicole Crosby (“Plaintiff”) brings claims challenging her involuntary civil hospitalization that occurred in 2024. The Court ordered her to file a proper in forma pauperis motion and a second amended complaint.

Plaintiff has filed an in forma pauperis motion that shows her living expenses. Dkt. 14. With her prior motion, she filed a Social Security Administration letter showing she receives \$661 in social security per month. These applications, construed together, show that she qualifies for in forma pauperis status.

Plaintiff has repeated essentially the same allegations in her second amended complaint as before. The Court questions whether Plaintiff has the ability to articulate her claims or investigate the facts underlying her claims, or whether mental health issues preclude her from doing so in a meaningful way. The only potential state actor in this case is Gooding County Sheriff Shaun Gough.

To obtain further facts to aid in the screening of this case, the Court will request that the Clerk of Court prepare subpoenas duces tecum and explanatory letters to Gooding County Sheriff Shaun Gough, the Gooding County District Court, and the North Canyon Medical Center to obtain all records relative to Plaintiff's "arrest," detention, involuntary mental health commitment, and hospitalization. **Plaintiff will be required to cooperate with the Medical Center to complete a medical records release form so that it can release her records to the Court.** After review of the records, the Court will issue another screening order.

ORDER

IT IS ORDERED:

1. Plaintiff's Request to Have Defendants Served (Dkt. 13) is DENIED as premature.
2. Plaintiff's Application to Proceed in Forma Pauperis (Dkt. 14) is GRANTED.
3. The Clerk of Court shall prepare and send subpoenas and explanatory letters to Sheriff Shawn Gough, the Gooding County District Court, and North Canyon Medical Center.
4. Plaintiff must cooperate with North Canyon Medical Center in providing her signature for release of the medical records in this case.
5. When the records are returned, they shall be filed and docketed under seal.
6. The Clerk of Court shall provide a copy of the records to Plaintiff.

7. Should the recipients of the subpoenas require payment for the records, the Clerk of Court shall submit a request for payment from the pro bono fund to the Court's Lawyer Representatives for approval. If approval is given, then the Clerk of Court shall submit payment to the subpoena recipient.
8. **However, before subpoenas are issued, Plaintiff must approve this process. She will be required to file a notice of approval and cooperation within 14 days after entry of this Order.** Upon receiving the notice, the Clerk of Court shall begin the process set forth herein above.



DATED: May 2, 2025

A handwritten signature in black ink, reading "B. Lynn Winmill". The signature is written over a horizontal line.

B. Lynn Winmill
U.S. District Court Judge