

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

HANNAH PUCKETT,

Plaintiff,

v.

GRANITE DESIGNS, LLC, and MICHAEL
SPEARS,

Defendants.

Case No. 4:22-cv-00403-AKB

**MEMORANDUM DECISION
AND ORDER**

Pending before the Court is Defendant Granite Designs, LLC's Motion to Stay: Suggestion of Death (Dkt. 25). Having reviewed the record and the parties' submissions, the Court finds that the facts and legal arguments are adequately presented and that oral argument would not significantly aid its decision-making process, and it decides the motion on the parties' briefing. Dist. Idaho Loc. Civ. R. 7.1(d)(1)(B); *see also* Fed. R. Civ. P. 78(b) ("By rule or order, the court may provide for submitting and determining motions on briefs, without oral hearings.").

BACKGROUND

Granite Designs filed a suggestion of death regarding the February 11, 2025, death of its co-defendant, Michael Spears. (Dkt 25). According to this filing, probate proceedings for Mr. Spears began March 13, 2025, in Bonneville County, Idaho, and a personal representative has been appointed to handle creditor claims under the probate matter. (*Id.*, ¶¶ 1-3). Additionally, Granite Designs requests this Court stay this case until the estate has been probated. (*Id.*, p. 2). A jury trial is currently scheduled for May 12, 2025, and a pretrial conference is set for April 22.

LEGAL STANDARD

“A district court has discretionary power to stay proceedings in its own court[.]” *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1109 (9th Cir. 2005). “The corollary to this power is the ability to lift a stay previously imposed.” *Johnson v. JP Morgan Chase Bank, N.A.*, 2019 WL 2004140, at *2 (C.D. Cal. Jan. 25, 2019) (quoting *Boyle v. Cnty. of Kern*, 2008 WL 220413, at *5 (E.D. Cal. Jan. 25, 2008)). A claimant may assert claims against an estate in Idaho, and a lawsuit pending against a defendant who passes generally remains a claim against the estate. I.C. § 15-3-804(b). *Id.* Judgments obtained are an allowance against the estate. I.C. § 15-3-806. Rule 25(b) of the Federal Rules of Civil Procedure provides a court may substitute the proper party if a party dies and the claim is not extinguished.

ANALYSIS

Granite Designs seeks a stay until the estate “has been resolved.” (Dkt. 25 at p. 2). Meanwhile, Plaintiff opposes this request, although she agrees “the trial date should be vacated and reset for a later date” to allow sufficient time to substitute the estate “as the real party in interest.” (Dkt. 28 at p. 2). The Court understands the need to stay impending proceedings in this case but also recognizes certain procedural filings may need to occur under Rule 25. To avoid staying those filings, the Court denies Granite Designs’ request for a stay.

The Court will, however, vacate the impending pretrial conference and the jury trial to allow the parties an opportunity to comply with the procedural rules as appropriate or to otherwise resolve this case.

ORDER

Accordingly, **IT IS ORDERED** that:

1. Granite Designs' Motion to Stay (Dkt. 25) is **DENIED**.
2. The pretrial conference scheduled for April 22, 2025, is **VACATED**.
3. The jury trial scheduled for May 12, 2025, is **VACATED**.
4. A telephonic status conference is scheduled for **June 18, 2025, at 2:00 p.m.**



DATED: April 18, 2025

Amanda K. Brailsford

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U.S. District Court Judge