

BOISE, WEDNESDAY, MAY 10, 2023 AT 11:10 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

KRISTINE MCCREERY,)
)
 Plaintiff-Appellant)
)
 v.)
)
 JENNIFER KING, M.D., in her)
 individual and official capacity; AMY)
 BARTON, M.D., in her individual and)
 official capacity, TERESA TORRES,)
 in her individual and official capacity,)
 ERIN PON, in her individual and)
 official capacity, and SHARI DODGE,)
 in her individual and official capacity,)
)
 Defendants-Respondents.)
)

Docket No. 49385

Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Jonathan Medema, District Judge.

Olsen Taggart PLLC, Idaho Falls, attorneys for Appellant.

Duke Evett, PLLC, Boise, attorneys for Respondent Jennifer King, M.D.

Gjording Fouser, PLLC, Boise, attorneys for Respondent Amy Barton, M.D.

Moore Elia & Kraft, LLP, Boise, attorneys for Respondents Erin Pon and Shari Dodge.

Raúl R. Labrador, Idaho Attorney General, Boise, for Respondent Teresa Torres.

This lawsuit arises from Respondents’ investigation into whether Appellant Kristine McCreery abused or neglected her fifteen year old son, B.M. McCreery filed a complaint against two physicians who reported the alleged abuse, the detective who investigated the reports, the deputy prosecutor who filed the CPA action, and an Idaho Department of Health and Welfare social worker who submitted an investigatory report and testified in the CPA case, alleging they violated her constitutional rights and Idaho’s false reporting statutes when they took actions to separate her from B.M. over a 15-month period. The district court dismissed all of McCreery’s claims with prejudice after finding that the Respondents were immune from liability and that the allegations in McCreery’s complaint failed to state any valid claim upon which relief could be

granted. McCreery filed a motion to amend her complaint to add new causes of action against the Respondents, which the district court denied. McCreery timely appealed to this Court, arguing the district court erroneously dismissed her claims.