

BOISE, FRIDAY, AUGUST 14, 2026, AT 10:00 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

KRIS TAYLOR,

Plaintiff-Appellant,

V.

**PATRICK DAVIS, an individual and
MERRILL & MERRILL, an Idaho
Professional Service Corporation,**

Defendants-Respondents,

Docket No. 52831

Appeal from the District Court of the Sixth Judicial District of the State of Idaho, Bannock County. Rick Carnaroli, District Judge.

Fisher & Hudson PLLC, Boise, for Appellant.

Anderson Julian & Hull LLP, Boise, for Respondents.

This appeal addresses what types of statements qualify as defamation per se. In 2022, Patrick Davis, an attorney, gave an interview to the EastIdahoNews.com (“East Idaho News”), commenting on the circumstances that led to criminal charges against his client, Kevin Ball, and the civil dispute between Ball and his business partner, Kris Taylor. Taylor subsequently sued Davis, Davis’s former law firm, and Ball for defamation and defamation per se based on the statements in Davis’s interview. The matter proceeded to a jury trial solely on the defamation per se claim against Davis and his former law firm. Taylor requested a jury instruction defining defamation per se to include statements incompatible with a plaintiff’s lawful business, trade, or profession. The district court declined to deliver that instruction, concluding that it was inconsistent with Idaho law, and instead instructed the jury that defamation per se required a plaintiff to show a false statement imputing conduct punishable by imprisonment or a crime of moral turpitude. Using that definition, the jury returned a verdict finding that none of the statements Davis made constituted defamation per se. Taylor moved for a new trial, arguing that the district court incorrectly instructed the jury on the law of defamation per se. The district court denied that motion.

Taylor appeals, raising a single issue that the district court erred in refusing to instruct the jury that defamation per se could include statements that are incompatible with a lawful business, trade, or profession.