

IDAHO FALLS, WEDNESDAY, OCTOBER 14, 2026, AT 10:00 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

EMILY LAYTON,	)	
	)	
Plaintiff-Appellant,	)	
	)	
v.	)	Docket No. 52947
	)	
HANNAH SHEPLEY and DAVID SHEPLEY,	)	
	)	
Defendants-Respondents.	)	
	)	

Appeal from the District Court of the Seventh Judicial District of the State of Idaho,
Madison County. Steven W. Boyce, District Judge.

Barton Atkinson & Murdoch, P.C., Rexburg, for Appellant.

Elam & Burke, P.A., Boise, for Respondents.

Emily Layton appeals the district court decisions denying her motions for judgment notwithstanding the verdict and a new trial. She additionally challenges the district court's decision overruling her objection to expert testimony at trial.

Layton filed a lawsuit against Hannah Shepley and asserted a claim for negligence. Layton was a passenger in a car driven by Shepley when Shepley's car hit a puddle during a heavy rainstorm and began to hydroplane. Shepley lost control and the car flipped, rolled into the opposing lane of traffic, hit another car, and came to rest against the opposite barrier of the highway. Layton left the scene in an ambulance and alleged that she suffered multiple physical injuries and post-traumatic stress disorder (PTSD) as a result of the accident.

Layton's suit against Shepley went to trial. An Idaho State Police trooper testified that he cited Shepley for failure to maintain her lane and that he believed she had been traveling too fast for conditions. Based on this testimony, Layton requested a negligence per se jury instruction for violations of Idaho Code sections 49-654 and 49-637(3) and asked the court to omit language in the standard negligence jury instruction, which instructed the jury that they had to determine if Shepley's conduct was reasonable. The district court declined to give the requested instructions.

Shepley called psychologist Dr. Clay Ward as an expert witness at the trial. Dr. Ward testified that he did not believe Layton had PTSD but rather, tested consistently with a person who had a personality disorder. Layton objected to the testimony on the basis that it was impermissible character evidence. The district court overruled the objection.

The jury returned a verdict in favor of Shepley. Layton moved for judgment notwithstanding the verdict and for a new trial. She argued that the jury's verdict was not supported by the evidence, which demonstrated that Shepley was negligent per se because she violated Idaho

Code sections 49-654 or 49-637(3). Further, she argued the district court erred when it declined to give her jury instruction on negligence per se. The district court denied Layton's motions. Layton now appeals, reasserting the arguments she raised below. She additionally challenges the district court's decision to overrule her objection to Dr. Ward's testimony.