

SUMMARY STATEMENT

State v. Cunningham

No. 44176

The Idaho Supreme Court vacated the Ada County district court's award of restitution entered under Idaho Code section 37-2732(k) requiring Jeremy Cunningham to pay the State's expenses actually incurred while prosecuting Cunningham's drug conviction. Emphasizing that the only "evidence" supporting the State's request for restitution was a one-paragraph, unsworn statement, the Court held that the award of restitution was not supported by evidence, vacated the award, and remanded the case.