

## **SUMMARY STATEMENT**

*State v. Hess*

Docket #47437

The Idaho Supreme Court affirmed in part, and vacated in part, a district court's award of restitution entered against Richard Lowell Hess under Idaho Code section 37-2732(k). Based on Hess's plea agreement, the district court entered a restitution order in the sum of \$8,116.35 to several law enforcement agencies following Hess's guilty plea to felony trafficking in heroin. Hess argued that there was insufficient evidence to support all but \$1,500 of the award. The Court of Appeals reversed the restitution order, and the Idaho Supreme Court granted the State's timely petition for review. The Court vacated part of the restitution award that the State conceded was unsupported but affirmed the remainder of the order. The Court determined that Hess failed to preserve his appellate arguments regarding the admissibility of evidence supporting the award by failing to properly make those objections below.