

SUMMARY STATEMENT

State v. Casper

Docket No. 48068 / 48069

In an appeal of two consolidated cases, Casey Casper challenged his sentence for possession of methamphetamine by arguing it was excessive in light of mitigating factors. Casper also challenged certain restitution costs awarded to the State incurred during two trials, the first of which ended in a mistrial (hung jury), claiming that they were unlawful under a plain interpretation of Idaho Code section 37-2732(k). The Supreme Court affirmed the district court on both issues. It determined that there was no abuse of discretion by the district court in sentencing Casper to a ten-year sentence, with the first three years fixed, given the defendant's significant criminal record and persistent violator status. The Supreme Court also determined there was no abuse of discretion in the restitution order because the restitution costs from Casper's earlier mistrial were permissible under a plain reading of Idaho Code section 37-2732(k).

******This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.******