

SUMMARY STATEMENT

State v. Poe

Docket No. 48536

The Owyhee County Prosecuting Attorney obtained an order of restitution against Malinda Poe in 2005, which required Poe to pay \$2,346 to the Idaho Industrial Commission's Crime Victims Compensation Program (the Commission). In 2010, the Commission sought a renewal of the order of restitution, which was granted by the magistrate court. Five years later, the Commission sought another renewal of the order of restitution, which was also granted at that time by the magistrate court.

In 2020, the Commission sought a third order renewing the order of restitution. This time, however, the magistrate court denied the request, finding that the Commission lacked standing to seek a renewal of the restitution order. The Commission appealed to the district court, which also concluded the Commission lacked standing, and further concluded that the order of restitution was not subject to renewal pursuant to Idaho Code section 10-1110. The Commission timely appealed.

The Idaho Supreme Court affirmed the district court's decision and concluded that the Commission had no standing to intervene in a criminal case to bring a motion to renew an order of restitution. Criminal proceedings are between the State and the defendant, and the Commission had not been granted standing to interject itself into a criminal case. Consequently, the Court affirmed the district court.

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