

SUMMARY STATEMENT

State of Idaho v. Robert Kenneth Wilde

Docket No. 49302

In this case arising out of Ada County, the Court of Appeals affirmed the district court's restitution order. Pursuant to a plea agreement, Robert Kenneth Wilde pled guilty to trafficking in heroin and "agree[d] to pay restitution for all charged, uncharged, and dismissed conduct in this case or in any case dismissed by the terms of this offer in an amount to be determined or in the amount of \$ TBD." After hearing testimony from an officer, the district court found that the costs associated with the testifying officer's investigation efforts amounted to \$2,806.40. Wilde did not object to the State's request for \$291 in restitution for "lab fees." Accordingly, the district court entered an order for restitution totaling \$3,097.40.

On appeal, Wilde asserted the district court erred by awarding the \$2,806.40 in restitution associated with the testifying officer's work related to Wilde's case. The Court of Appeals held that, based on the unambiguous language of Wilde's plea agreement, the only unresolved aspect of restitution was the amount of restitution incurred by the law enforcement agency (a determination that Wilde did not challenge on appeal). Consequently, Wilde waived consideration of whether the district court erred in determining that it was proper to award \$2,806.40 in restitution for the investigating officer's work on Wilde's case. The Court also held that, even if the merits of his arguments were considered, Wilde failed to show that the district court abused its discretion in awarding restitution.

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