

SUMMARY STATEMENT
State of Idaho v. Shane Kenneth Smith
Docket No. 51871

In this case arising out of Canyon County, the Court of Appeals affirmed Shane Kenneth Smith's judgment for restitution. Smith was arrested following an incident where he stole a victim's vehicle at knifepoint, cutting the victim's arm in the process. Smith subsequently pled guilty to one count of robbery and one count of aggravated battery. At sentencing, the district court imposed two civil fines of \$5,000 each pursuant to I.C. § 19-5307.

On appeal, Smith asserted the district court erred in imposing two \$5,000 civil fines amounting to \$10,000. Smith argued the plain language of I.C. § 19-5307 permitted the district court to order a fine "not to exceed" \$5,000 on behalf of the victim named in the indictment or information. Smith argued that, because there was only one victim named in the indictment, the fine could not exceed \$5,000. The Court rejected Smith's arguments, holding the plain language of I.C. § 19-5307 allowed the district court to impose a civil fine to the finding of guilty of "any" qualifying felony enumerated in the statute. Because Smith pled guilty to two felonies, both enumerated in I.C. § 19-5307, the Court held that Smith failed to show the district court erred. As a result, the Court affirmed Smith's judgment for 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.*