

BOISE, MONDAY, DECEMBER 6, 2021, AT 10:00 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO, ex rel. IDAHO STATE)	
INDUSTRIAL COMMISSION, CRIME)	Docket No. 48536
VICTIMS COMPENSATION PROGRAM,)	
)	
Plaintiff-Appellant,)	
)	
v.)	
)	
MALINDA ROSE POE,)	
)	
Defendant-Respondent.)	

Appeal from the District Court of the Third Judicial District, State of Idaho, Owyhee County. D. Duff McKee, Senior District Judge.

Lawrence G. Wasden, Idaho Attorney General, Boise, for appellant.

Malinda Rose Poe, respondent *pro se*.

The Idaho Industrial Commission appeals the district court's dismissal of its appeal after the magistrate court dismissed its motion to renew a restitution order. The Owyhee County Prosecuting Attorney obtained an order of restitution against Malinda Poe in 2005, which required Poe to pay \$2,346 to the Industrial Commission's Crime Victims Compensation Program. In 2010, the Industrial Commission sought an order renewing the order of restitution, which was granted by the magistrate court. Five years later, the Industrial Commission sought another order renewing the order of restitution, which was also granted by the magistrate court.

In 2020, the Industrial Commission sought a third order renewing the order of restitution. This time, however, the magistrate court denied the request, finding that the Industrial Commission lacked standing to seek a renewal of the restitution order. The Industrial 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 Industrial Commission timely appealed to this Court.