

SUMMARY STATEMENT

State v. Struhs, Docket No. 42357

In this Bingham County case, Kenny Carl Struhs pleaded guilty to vehicular manslaughter, was sentenced to a unified term of fifteen years in prison with ten years fixed, and was ordered to pay restitution to the victim's widow, including an amount compensating her for health insurance premiums she paid for coverage between the time of the accident and the time of Struhs' sentencing. Such health insurance replaced employer-paid coverage that her deceased husband would have received but for the accident. On appeal, Struhs challenged the sentence as excessively harsh and the award of restitution for insurance premiums as unauthorized under the victims' restitution statute, Idaho Code section 19-5304. The Supreme Court affirmed the judgment entered by the district court.