

# Sample Cases: Thinking Broadly About Restitution

## Examples of Expenses Successfully Sought in Restitution

### Adoption Fees

*State v. Alcalá*, 348 P.3d 570 (Kan. 2015).

### Animal-Related

*People v. Baker*, No. CO76653, 2015 WL 1894294 (Cal. Ct. App. Apr. 24, 2015).

*Commonwealth v. Lee*, 947 A.2d 199 (Pa. Super. Ct. 2008).

### Attorney Fees

*United States v. Bahel*, 662 F.3d 610 (2d Cir. 2011).

*United States v. Skowron*, 839 F. Supp. 2d 740 (S.D.N.Y. 2012).

*Arling v. State*, 559 So. 2d 1274 (Fl. Dist. Ct. App. 1990).

*People v. Oshana*, 965 N.E.2d 1174 (Ill. App. Ct. 2012).

*State v. Gerhardt*, 385 P.3d 1049 (Or. 2016).

*State v. Anderson*, 573 N.W.2d 872 (Wis. Ct. App. 1997).

### Credit Repair/Protection

*State v. Maxwell*, 802 N.W.2d 849 (Minn. Ct. App. 2011).

### Fencing

*People v. Quevedo*, No. F049371, 2007 WL 520333 (Cal. Ct. App. Feb. 21, 2007).

### Guard Dog & Self-Defense Classes

*In re Isaiah F.*, No. A108434, 2005 WL 3047954 (Cal. Ct. App. Nov. 15, 2005).

### Internal Investigations

*State v. Brewer*, 989 P.2d 407 (Mont. 1999).

### Locating Family Members

*State v. Maldi*, 537 N.W.2d 280 (Minn. 1995).

### Lost Income and Sick/Personal/Vacation Time (Past/Future)

*United States v. Evers*, 669 F.3d 645 (6th Cir. 2012).

*United States v. Serawop*, 505 F.3d 1112 (10th Cir. 2007).

*People v. Giordano*, 170 P.3d 623 (Cal. 2007).

*People v. Turn*, 896 N.W.2d 805 (Mich. Ct. App. 2016).

### Medical Costs (Past/Future)

*United States v. Doe*, 488 F.3d 1154 (9th Cir. 2007)

*State v. Howard*, 815 P.2d 5 (Ariz. Ct. App. 1991).

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### **Medical Costs (Past/Future), Cont'd**

*People v. Phelps*, 48 Cal. Rptr. 2d 855 (Cal. Ct. App. 1996).

### **Mental Health Costs (Past/Future)**

*United States v. Osman*, 853 F.3d 1184 (11th Cir. 2017).

*United States v. Pearson*, 570 F.3d 480 (2d Cir. 2009).

*W.S. v. State*, 174 P.3d 256 (Alaska Ct. App. 2008).

*State v. J.B.*, 643 So. 2d 402 (La. Ct. App. 1994).

*State v. Oakes*, 13 A.3d 293 (N.H. 2010).

*State v. Allen*, 858 P.2d 176 (Or. Ct. App. 1993).

*Commonwealth v. Boyles*, 595 A.2d 1180 (Pa. Super. Ct. 1991).

*State v. Ruiz*, 366 P.3d 1230 (Utah Ct. App. 2016).

### **Minimum Restitution**

*State v. Rey*, 890 N.W.2d 135 (Minn. Ct. App. 2017).

### **Moving Expenses and Temporary/Permanent Relocation**

*People v. Tinoco*, No. E064372, 2016 WL 4491466 (Cal. Ct. App. Aug. 26, 2016).

*People v. Bryant*, 122 P.3d 1026 (Colo. Ct. App. 2005).

*Santiago v. State*, 669 So. 2d 334 (Fla. Dist. Ct. App. 1996).

*State v. Beechum*, 833 P.2d 988 (Kan. 1992).

*State v. Rodriguez*, 863 N.W.2d 424 (Minn. Ct. App. 2015).

*State v. Shepherd*, 60 A.3d 213 (Vt. 2012).

### **Noneconomic Damages**

*People v. Lehman*, 202 Cal. Rptr. 3d 386 (Cal. Ct. App. 2016).

### **Property Repair**

*People v. Stanley*, 279 P.3d 585 (Cal. 2012).

*People v. Cortes*, No. A150225, 2018 WL 2998752 (Cal. Ct. App. June 15, 2018).

*People v. Smith*, 181 P.3d 324 (Colo. Ct. App. 2007).

*State v. Kennedy*, 528 N.W.2d 9 (Wis. Ct. App. 1994).

### **Property Remediation**

*United States v. Oceanpro Indus.*, 674 F.3d 323 (4th Cir. 2012).

*United States v. Brock-Davis*, 504 F.3d 991 (9th Cir. 2007).

*United States v. Quillen*, 335 F.3d 219 (3d Cir. 2003).

*Commonwealth v. Buckley*, 57 N.E.3d 1051 (Mass. App. Ct. 2016).

### **Property Replacement**

*United States v. Kaplan*, 839 F.3d 795 (9th Cir. 2016).

*United States v. Genschow*, 645 F.3d 803 (6th Cir. 2011).

*People v. Rednour*, 665 N.E.2d 888 (Ill. App. Ct. 1996).



## Reward Money

*People v. Dillingham*, 881 P.2d 440 (Colo. Ct. App. 1994).

## Security Systems

*People v. T.R.*, No. D055049, 2010 WL 2332934 (Cal. Ct. App. June 10, 2010).

*State v. Christy*, 383 P.3d 406 (Or. Ct. App. 2016).

## Traditional Ceremonies and Funeral Expenses

*United States v. Iron Cloud*, 312 F.3d 379 (8th Cir. 2002).

*People v. Keichler*, 29 Cal. Rptr. 3d 120 (Cal. Ct. App. 2005).

*People v. Jurian*, Nos. B244575, B250118, 2018 WL 1100763 (Cal. Ct. App. Feb. 28, 2018).

*Critsley v. State*, 573 So. 2d 167 (Fl. Dist. Ct. App. 1991).

*Hughes v. State*, 815 N.W.2d 602 (Minn. 2012).

*State v. Tenerelli*, 598 N.W.2d 668 (Minn. 1999).

*State v. Ceballos*, 230 P.3d 954 (Or. Ct. App. 2010).

## Transportation and Travel Expenses

*United States v. Searle*, 65 F. App'x 343 (2d Cir. 2003).

*United States v. Estep*, 378 F. Supp. 2d 763 (E.D. Ky. 2005).

*State v. Patterson*, 384 P.3d 92 (Mont. 2016).

*State v. Bruce*, 907 N.W.2d 773 (N.D. 2018).

## Tuition/School-Related Expenses

*In re Andrew C.*, 160 P.3d 687 (Ariz. Ct. App. 2007).

*People v. Cortez*, No. A140355, 2015 WL 1789071 (Cal. Ct. App. Apr. 17, 2015).

*Commonwealth v. Casanova*, 843 N.E.2d 699 (Mass. App. Ct. 2006).

## Unlicensed Contractors

*People v. Walker*, 211 Cal. Rptr. 3d 829 (Cal. App. Dep't Super. Ct. 2016).

## Warranties

*In re D.R.*, No. C061770, 2010 WL 2474807 (Cal. Ct. App. June 18, 2007).



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