SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Twenty-Second Judicial District Court, County of Stillwater

STATE OF MONTANA,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. DC-16-019
-vs-	)	
	)	DECISION
PAUL HENRY MEYERS,	)	
	)	
Defendant.	)	

On September 22, 2016, the Defendant was sentenced to the Department of Corrections for a period of five (5) years, with three (3) years suspended and ordered to pay a fine of $1,000 for the offense of Count I: Criminal Possession of Dangerous Drugs, a felony; in violation of §45-9-102(1), MCA. For Count II: Criminal Possession of Drug Paraphernalia, a misdemeanor, in violation of §45-10-103, MCA, Defendant was sentenced to the Yellowstone County Detention Facility for six (6) months with all time suspended. Count II was ordered to run concurrent with Count I. The Court recommended the Defendant be screened and placed in an appropriate program based upon the screening results. For Count III: Theft, a misdemeanor, in violation of $ 45-6-301(1)(b), the Defendant was sentenced to the Yellowstone County Detention Facility for six (6) months with all time suspended. Count III was ordered to run concurrent with Count I and Count II. For Count IV: Driving a Motor Vehicle while Revoked/Suspended, a misdemeanor; in violation of §61-5-212(1)(a)(i), MCA, the Defendant was sentenced to the Yellowstone County Detention Facility for six (6) months with all but 2 days suspended. Count IV was ordered to run concurrent with Count I, II, and III. As to Count V: No Proof of Liability Insurance, a misdemeanor, in violation of §41-5-302(2)(d), MCA, the Defendant was sentenced to the Yellowstone County Detention Facility for six (6) months with all time suspended. Count V was ordered to run concurrent with Counts I, II, III and IV. Defendant was ordered to pay $250 toward the cost of assigned counsel and surcharges.

On February 3, 2017, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant appeared by Vision Net from Connections Corrections in Butte and was represented by Peter Ohman of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant

acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive. Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 3rd day of February, 2017.

DATED this 8 day of March, 2017.

SENTENCE REVIEW DIVISION

Hon. Brad Newman, Chairperson

Hon. Kathy Seeley, Member

Hon. Brenda Gilbert, Member

Copies mailed this 9th day of March, 2017, to:

Clerk of District Court (Original)
Paul Henry Meyers #3019725, Defendant (2)
Hon. Blair Jones
Brent Getty, Defense Counsel
Nancy L. Rohde, Esq.
Board of Pardons and Parole
MSP - Records Dept.

Georgia Lovelady, Judicial Assistant
Sentence Review Division