SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana First Judicial District Court, County of Lewis and Clark

STATE OF MONTANA,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. DC-15-335
-vs-	)	
	)	DECISION
TAMARA JOLINE FURLONG,	)	
	)	
Defendant.	)	

September 1, 2016, the District Court sentenced the Defendant to the Montana Department of Corrections for a period of thirteen (13) months, followed by a five (5) year suspended sentence to the Department, for the offense of Count II: Driving with Alcohol Concentration of 0.08 or More (5th offense), a felony. The Department was allowed to place the Defendant into an appropriate community-based program, facility, or a state correctional institution, with the Court's recommendation that the Defendant be placed at Passages ASRC. The Defendant was ordered to pay a fine of $5,000. The Court granted credit for time served prior to sentencing for August 25, 2016.

On April 7, 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 was present and was represented by Peter Ohman of the Office of the State Public Defender. The State was not represented. Present at the hearing was Mike Ortloff, Defendant's husband.

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 she understood this and stated that she 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 7th day of April, 2017.

DATED this 26 day of April, 2017.

SENTENCE REVIEW DIVISION

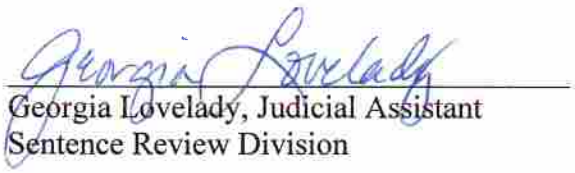
Hon. Brad Newman, Chairperson

Hon. Kathy Seeley, Member

Hon. Brenda Gilbert, Member

Copies mailed this 27 day of April, 2017, to:

Clerk of District Court (Original)
Tamara Joline Furlong #2036700, Defendant (2)
Hon. James P. Reynolds
Peter Ohman, Defense Counsel
Jeffrey Todd Sealey, Esq.
Board of Pardons and Parole
MWP - Records Dept.



Georgia Lovelady, Judicial Assistant
Sentence Review Division