

Sentence Review Division
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FILED
MAY 09 2022
SENTENCE REVIEW DIVISION
OF THE SUPREME COURT
STATE OF MONTANA

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,) Cause No. DC-11-598
)
Plaintiff,) Yellowstone County District Court
-vs-) Montana Thirteenth Judicial District
)
) **ORDER TO CONTINUE SENTENCE**
MICHAEL RICHARD SIMINGTON,) **REVIEW HEARING**
)
Defendant.)

On May 5, 2022, the Defendant's Application for review of sentence was scheduled to be heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division") by Zoom videoconference. The Defendant appeared from the Helena Pre-Release Center and was represented by Nicholas Hyde, Defense Counsel. The State was not represented.

Before hearing the application, Mr. Hyde informed the Division that he had attempted several times to set up a meeting with someone at the Pre-Release Center to meet with the Defendant but was unsuccessful. Mr. Hyde requested that the sentence review hearing be continued to the August 4 - 5, 2022 hearings to have additional time to meet with the Defendant and prepare for the hearing. The Defendant expressed his disappointment that the hearing would not take place as scheduled. However, in order for counsel to properly represent him, he did not object to the continuance.

THEREFORE, it is the unanimous decision of the Sentence Review Division that the application for review of sentence is **CONTINUED** to the next available hearings scheduled for August 4 - 5, 2022. Notification will be sent to interested parties at least thirty (30) days prior providing the actual time and date of the hearing.

DATED this 9th day of May, 2022.



Hon. Dan Wilson, Vice Chair
SENTENCE REVIEW DIVISION

CERTIFICATE OF SERVICE

I hereby certify that I mailed a true copy of the forgoing Order to Continue Sentence Review Hearing by depositing the same in the U.S. Mail, postage prepaid, or via electronic service this 9th day of May, 2022, to the following:

Clerk of District Court
Yellowstone County
P.O. Box 35030
Billings, MT 59107 – *via email*

Margaret Gallager, Esq.
Yellowstone County Attorney's Office
217 North 27th Street
Billings, MT 59101 – *via email*

Nicholas Hyde, Esq.
Office of the State Public Defender
1917 South Higgins
Missoula, MT 59801 – *via email*

Office of the State Public Defender
300 S. 2nd St.
Hamilton, MT 59840 – *via email*

Michael Richard Simington #2008046
Helena Pre-Release Center
805 Colleen Street
Helena, MT 59601

Hon. Jessica Fehr
13th Judicial District
P.O. Box 35029
Billings, MT 59107 – *via email*



Shelly Smith, Office Administrator
SENTENCE REVIEW DIVISION