

Sentence Review Division  
301 S. Park Ave., Suite 328  
P.O. Box 203005  
Helena, MT 59620-3005  
Phone: (406) 841-2976  
Email: [shellysmith@mt.gov](mailto:shellysmith@mt.gov)

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA, ) Cause No. DC-41-2022-0000048-IN  
)  
Plaintiff, ) Ravalli County District Court  
) Montana Twenty-First Judicial District  
-vs- )  
) **ORDER OF DISMISSAL**  
GARY WAYNE DEHART, JR., )  
)  
Defendant. )

On August 2, 2024, the Defendant appeared from the Butte Pre-Release Facility via Zoom videoconference before the Sentence Review Division of the Montana Supreme Court at the time set for a hearing to review his sentence. Defense Counsel, Scotti Ramberg, and County Attorney, William Fulbright, were also present and appeared via Zoom videoconference.

At the outset of the hearing, Defense Counsel informed the Division that the Defendant wishes to continue his sentence review hearing to pursue an out of time appeal. The Defendant verbally verified his wish to pursue an out of time appeal.

IT IS ORDERED that the Application for Review of Sentence, filed March 25, 2024, is dismissed without prejudice. Pursuant to Rule 2, Rules of the Sentence Review Division of the Supreme Court of Montana, the Defendant shall have Sixty (60) days following the determination of the Appeal during which to file an Application for Review of Sentence with the Ravalli County Clerk of District Court.

DATED this 8th day of August, 2024.

SENTENCE REVIEW DIVISION

  
\_\_\_\_\_  
Hon. Luke Berger, Chair

CERTIFICATE OF SERVICE

I hereby certify that I served a true copy of the foregoing **Order of Dismissal** by depositing the same in the U.S. Mail, postage prepaid, or via electronic service this 8th day of August, 2024 to the following:

Clerk of District Court  
Ravalli County  
205 Bedford Street, Ste. D  
Hamilton, MT 59840  
*Via email*

William Fulbright, County Attorney  
Ravalli County Attorney's Office  
205 Bedford Street, Suite C  
Hamilton, MT 59840  
*Via email*

Scotti L. Ramberg  
Attorney at Law  
3010 Santa Fe Court, Ste. 220  
Missoula, MT 59808  
*Via email*

Hon. Howard F. Recht  
21st Judicial District Court  
205 Bedford St.  
Hamilton, MT 59840  
*Via email*

Office of State Public Defender  
502 S. 19th Ave., Ste 211  
Bozeman, MT 59718  
*Via email*

Montana State Prison  
Records Department  
700 Conley Lake Road  
Deer Lodge, MT 59722  
*Via email*

Gary Wayne DeHart, Jr. #3036088  
Butte Pre-Release Center  
68 W. Broadway Street  
Butte, MT 59701

  
\_\_\_\_\_  
Shelly Smith, Office Administrator  
SENTENCE REVIEW DIVISION