

Sentence Review Division  
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SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA, ) Cause No. DC-25-2023-0000017-IN  
)  
Plaintiff, ) Lewis & Clark County District Court  
) Montana First Judicial District  
-vs- )  
) **ORDER OF DISMISSAL**  
NICHOLAS ROY JAMES GRAY, )  
)  
Defendant. )

On August 2, 2024, the Defendant failed to appear 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, was present and appeared via Zoom videoconference.

At the outset of the hearing, the Division was made aware that Ms. Ramberg had made several attempts to contact the Defendant with Helena Probation and Parole, with no response. Furthermore, Ms. Ramberg attempted to contact the Defendant through social media, with no success. Ms. Smith, Office Administrator, also went to the Helena Probation and Parole Office and provided staff with Ms. Ramberg's contact information to give to the Defendant. The Division considers the Defendant's lack of participation as a waiver of his right to sentence review.

Therefore, it is the unanimous decision of the Sentence Review Division that the Defendant WAIVED his right to sentence review and his Application is **DISMISSED WITH PREJUDICE**.

DATED this 7th 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 7th day of August, 2024 to the following:

Clerk of District Court  
Lewis & Clark County  
228 Broadway  
Helena, MT 59601  
*Via e-filing*

Ann Penner, Deputy Co. Attorney  
Lewis & Clark County Attorney's Office  
228 Broadway  
Helena, MT 59601  
*Via email*

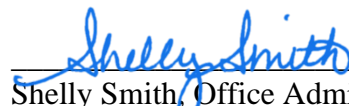
Scotti L. Ramberg  
Attorney at Law  
3010 Santa Fe Court, Ste. 220  
Missoula, MT 59808  
*Via email*

Hon. Christopher David Abbott  
1st Judicial District  
228 Broadway  
Helena, MT 59601  
*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*

Nicholas Roy James Gray #3035606  
Helena Probation & Parole  
111 N. Rodney  
Helena, MT 59601

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