

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

STATE OF MONTANA,)	Cause No. DC-32-2014-0000252-IN
)	
Plaintiff,)	Missoula County District Court
-vs-)	
)	Montana Fourth Judicial District
MARKUS HENDRIK KAARMA,)	
)	DECISION
)	
Defendant.)	

On February 12, 2015, the Defendant was sentenced to seventy (70) years to the Montana State Prison for the offense of Count I: Deliberate Homicide, a Felony, in violation of §45-5-102, MCA. The Court ordered the Defendant ineligible for parole for a period of twenty (20) years. The Defendant was given credit for time served in the amount of 60 days.

Pursuant to §46-18-205(5), MCA, the Defendant was ordered to pay restitution of \$12,127.00, the amount stipulated to by counsel, payable to Celal Dede, with a 10% assessed administration fee.

The Defendant was ordered to register as a Violent Offender.

On August 2, 2024, the Defendant's Application for review of that sentence came on for hearing by Zoom videoconference before the Sentence Review Division of the Montana Supreme Court (hereafter “the Division”). The Defendant appeared from the Saguaro Correctional Facility and was represented by Paul Simon, Defense Counsel. The State was represented by Matt Jennings, Deputy County Attorney. The Defendant did not give a statement.

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.

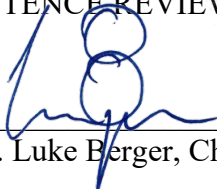
Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

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.

DATED this 13th day of August, 2024.


SENTENCE REVIEW DIVISION



Hon. Luke Berger, Chair




Hon. Jessica Fehr, Member



Hon. Matthew Cuffe, Member

Copies mailed or emailed this 13th day of August, 2024, to:

Clerk of District Court – *via email*
Marcus Hendrick Kaarma #3015649, Defendant
Hon. Leslie Halligan – *via email*
Paul Simon, Defense Counsel – *via email*
Matt Jennings, Deputy Co. Attorney – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division