

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

STATE OF MONTANA, ) Cause No. DC-32-2023-0000222-IN  
)  
Plaintiff, ) Missoula County District Court  
-vs- )  
) Montana Fourth Judicial District  
ZACHARY WILLIAM SARGENT, )  
) **DECISION**  
)  
Defendant. )

On December 18, 2023, the Defendant was sentenced as follows:

Count I: Ten (10) years to the Montana State Prison for the offense of Assault on Peace or Judicial Officer, a Felony, in violation of §45-5-210, MCA.

Count II: Ten (10) years to the Montana State Prison for the offense of Assault on Peace or Judicial Officer, a Felony, in violation of §45-5-210, MCA. The sentence was ordered to run consecutive to Count I.

Count III: Ten (10) years to the Montana State Prison for the offense of Assault on Peace or Judicial Officer, a Felony, in violation of §45-5-210, MCA. The sentence was ordered to run consecutive to Counts I and II.

Counts I – III were ordered to run consecutively to DC-23-139. The Defendant was given credit for time served in the amount of two hundred forty-six (246) days. The Court waived all financial obligations and did not impose a parole restriction. The Court further recommended to the Department of Corrections that if the Defendant is eligible for parole that the parole board place the Defendant in pre-release.

On August 1, 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 Montana State Prison and was represented by Tyler Dugger, Defense Counsel. The State was not represented. The Defendant gave 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.

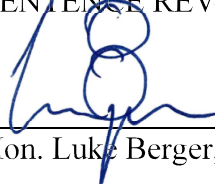
Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

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*  
Zachary William Sargent #3007701, Defendant  
Hon. Jason Marks – *via email*  
Tyler Dugger, Defense Counsel – *via email*  
Caitlin Williams, Deputy Co. Attorney – *via email*  
Board of Pardons and Parole – *via email*  
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator  
Sentence Review Division