

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

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,)	Cause No. DC-56-2020-0000107-IN
)	
-vs-)	Yellowstone County District Court
)	
MATTHEW JASON WELCH,)	Montana Thirteenth Judicial District
)	
)	DECISION
)	
Defendant.)	

On March 1, 2022, the Defendant was sentenced to Ten (10) years to the Montana State Prison, with Five (5) years suspended, for the offense of Count I: Issuing a Bad Check, Common Scheme, a Felony, in violation of §45-6-317, MCA.

The Defendant was ordered to write a letter of apology to the victim, Montana Bayou Entertainment, and ordered to pay restitution in the total amount of Two Thousand One Hundred Dollars (\$2,100.00), including a 10% administration fee.

On October 4, 2022, the Supreme Court issued its ORDER on the Appeal in DA 22-0214 remanding the matter to the District Court to amend its Judgment to conform with its oral pronouncement to strike conditions 13 (e), 13 (h), 19, 23, 24, and 25 from the written judgment.

On April 11, 2023, the Court amended the Judgment to conform with the order of the Supreme Court striking conditions 13 (e), 13 (h), 19, 23, 24, and 25 from the written Judgment.

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 Montana State Prison and was represented by Natasha Fernando, Defense Counsel. The State was not represented. Jessi Anderson, the Defendant’s sister, appeared by Zoom but did not give a statement. 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.

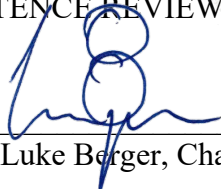
Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

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



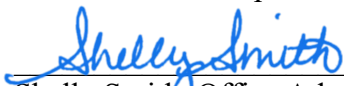
Hon. Jessica Fehr, Member



Hon. Matthew Cuffe, Member

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

Clerk of District Court – *via email*
Matthew Jason Welch #3007624, Defendant
Hon. Donald Harris – *via email*
Natasha Fernando, Defense Counsel – *via email*
Margaret Gallagher, Deputy Co. Attorney – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator