

Sentence Review Division
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FILED
10/21/2024
SENTENCE REVIEW DIVISION
OF THE SUPREME COURT
OF THE STATE OF MONTANA

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,) Cause No. DC-41-2013-0000056-IN
)
Plaintiff,) Ravalli County District Court
)
-vs-) Montana Twenty-First Judicial District
)
MICHELLE RAE JESSOP,) **DECISION**
)
Defendant.)

On May 3, 2023, the Court found the Defendant violated the terms and conditions of the suspended sentence imposed on January 29, 2014, for the offenses of CHARGE I: Fraudulently Obtaining Dangerous Drugs, 2 Counts, Felonies, in violation of §45-9-104, MCA; and CHARGE II: Tampering With or Fabricating Evidence, a Felony, in violation of §45-7-207, MCA. The Court revoked the suspended sentence and sentenced the Defendant to a commitment of nine (9) years, none suspended, to a State Prison to be designated by the Montana Department of Corrections. The Defendant was given credit for seven hundred and twenty-three (723) days street time and one hundred (100) days credit for time served. All of the reasons stated in the underlying Judgment filed February 27, 2014, were incorporated herein by reference.

On September 27, 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 PASSAGES Pre-Release and was represented by Penelope Strong. The State was represented by Bill Fulbright. 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 she understood this and stated that she 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 21st day of October, 2024.

SENTENCE REVIEW DIVISION



Hon. Luke Berger, Chair



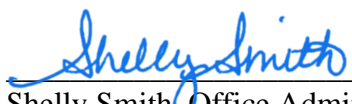
Hon. Jessica Fehr, Member



Hon. Matthew Cuffe, Member

Copies mailed or emailed this 22nd day of October, 2024, to:

Clerk of District Court – *via email*
Michelle Rae Jessop #3012539, Defendant
Hon. Howard Recht – *via email*
Penelope Strong, Defense Counsel – *via email*
Bill Fulbright, County Attorney – *via email*
Board of Pardons and Parole – *via email*
MWP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division