

Sentence Review Division
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FILED
 OCT 06 2021
 SENTENCE REVIEW DIVISION
 OF THE SUPREME COURT
 STATE OF MONTANA

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,)	Cause No. DC-16-417
)	
Plaintiff,)	Cascade County District Court
-vs-)	
)	Montana Eighth Judicial District
KATELYN GRACE MARIE CRAFT,)	
A.K.A. KATELYN GRACE MARIE ZDEB,)	DECISION
)	
Defendant.)	

On February 28, 2020, the Defendant was sentenced as follows: *Amended **Count I***: Ten (10) years to the Montana State Women’s Prison, with no time suspended, for the offense of **Deceptive Practices (Common Scheme-Accountability), a Felony, in violation of §45-6-317(1)(d)(i), MCA**; and *Amended **Count II***: Ten (10) years to the Montana State Women’s Prison, with no time suspended, for the offense of **Deceptive Practices (Common Scheme-Accountability), a Felony, in violation of §45-6-317(1)(d)(i), MCA**. The sentences were ordered to run consecutively to each other and any other sentence. The Defendant was given 7 days of credit for time served. Restitution of \$3,525.40 was ordered to be paid by the Defendant to Lori Petzack. This restitution is joint and several with Brandon Craft’s liability and is to be paid first by the Department of Corrections.

On September 24, 2021, 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 Women’s Prison and was represented by Teal Mittelstadt, Defense Counsel. The State was not represented. The Defendant gave a statement. Also present by video for the hearing was the Defendant’s stepfather, Jacob Lietz, who gave a statement, and the Defendant’s aunt, Megan Lusk, who gave a statement. Lori Petzak, the mother of the victim, appeared by video and gave a statement. Margaret Demarco, friend of Lori Petzak, attended by teleconference as support for Ms. Petzak and did not provide 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 sentence imposed by the District Court is clearly excessive. Therefore, it is the unanimous decision of the Division to amend the Judgment to **DECREASE the sentence** to run the sentences in Count I and II **concurrently** with each other. The remaining sentence, terms and conditions imposed in the Judgment of February 28, 2020, are not clearly excessive and are affirmed.

DATED this 6th day of October, 2021.

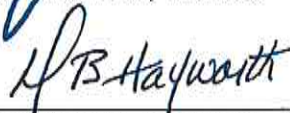
SENTENCE REVIEW DIVISION



Hon. Dan Wilson, Acting Chair



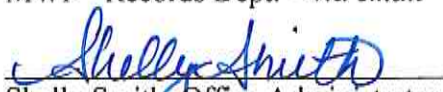
Hon. Jessica Fehr, Member



Hon. Michael B. Hayworth, Substitute Member

Copies mailed or emailed this 6th day of October 2021, to:

Clerk of District Court – *via email*
Katelyn Grace Marie Craft (Zdeb) #3024167, Defendant
Hon. Elizabeth Best – *via email*
Teal Mittelstadt, Defense Counsel – *via email*
Joshua A. Racki, Esq. – *via email*
Board of Pardons and Parole – *via email*
MWP - Records Dept. – *via email*


Shelly Smith, Office Administrator
Sentence Review Division