

Sentence Review Division  
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**FILED**

**NOV 12 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-19-227  
)  
Plaintiff, ) Silver Bow County District Court  
)  
-vs- ) Montana Second Judicial District  
)  
JONATHAN CADY, ) **DISMISS WITHOUT PREJUDICE**  
)  
Defendant. )

On November 5, 2021, the Defendant's Application for review of sentence was scheduled to be heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division") by Zoom videoconference. The Defendant appeared from the Montana State Prison and was represented by Teal Mittelstadt, Defense Counsel. The State was not represented. Michael Cady, brother of the Defendant, and Kareena Robinson, Daughter of the Defendant, were present but did not appear or provide a statement.

Before hearing the Application, the Ms. Mittelstadt informed the Division that the Defendant is in the process of filing a Petition for Post-Conviction Relief and made a Motion that the Defendant's Application for Review of sentence be dismissed without prejudice for the Defendant to pursue the Post-Conviction Relief.

It is the unanimous decision of the Division that the Defendant's motion to dismiss the Defendant's Application for Review of Sentence without prejudice is granted. The Defendant will have sixty (60) days from the date of the District Court's decision to request an Application for Review of Sentence from the Office Administrator of the Sentence Review Division at the address above.

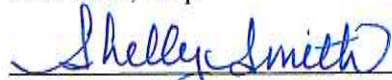
DATED this 11th day of November, 2021.

SENTENCE REVIEW DIVISION

  
\_\_\_\_\_  
Hon. Luke Berger, Chair

Copies mailed or emailed this 12<sup>th</sup> day of November, 2021, to:

Clerk of District Court  
Jonathan Cady #34129, Defendant (2)  
Hon. Robert Whelan  
Teal Mittelstadt, Defense Counsel  
Ann Shea, Esq.



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Shelly Smith, Office Administrator  
Sentence Review Division