

Sentence Review Division  
301 S. Park, Suite 328  
P.O. Box 203005  
Helena, MT 59620-3005  
Phone: (406) 841-2976  
Email: [shellysmith@mt.gov](mailto:shellysmith@mt.gov)

**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-13-062  
)  
Plaintiff, ) Cascade County District Court  
)  
-vs- ) Montana Eighth Judicial District  
)  
DAVID THOMAS WEISBARTH, ) **ORDER TO CONTINUE**  
) **SENTENCE REVIEW HEARING**  
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 Crossroads Correctional Facility and was represented by Teal Mittelstadt, Defense Counsel. The State was represented by Jennifer Quick, Deputy County Attorney.

Before hearing the application, the Division acknowledged that Ms. Mittelstadt filed a late Motion to Continue on November 3, 2021. Ms. Mittelstadt informed the Division that she needed additional time to obtain the sentencing transcript and prepare for the hearing. Ms. Mittelstadt requested that Mr. Weisbarth's sentence review hearing be continued to the February 2022 hearings to have time to prepare for the hearing.

It is the unanimous decision of the Sentence Review Division that the application for review of sentence is **CONTINUED** to the next available hearings in February 10 – 11, 2022. Notification will be sent to interested parties four weeks prior providing the actual time and date of the hearing.

DATED this 11th day of November, 2021.

SENTENCE REVIEW DIVISION



Hon. Lulie Berger, Chair

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

Cascade County Clerk of District Court - *via email*

David Thomas Weisbarth, Defendant (2)

Teal Mittelstadt, Defense Counsel – *via email*

Jennifer Quick, Esq. – *via email*

Hon. John A. Kutzman – *via email*



Shelly Smith, Office Administrator  
Sentence Review Division