

Sentence Review Division  
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**FILED**

**FEB 22 2022**

**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-21-029  
)  
Plaintiff, ) Cascade County District Court  
)  
-vs- ) Montana Eighth Judicial District  
)  
BRANDON MARCUS SEVERSON, ) **DECISION**  
)  
Defendant. )

On May 7, 2021, the Defendant was sentenced to the Department of Corrections for a period of five (5) years for the offense of Count I: Criminal Possession of Dangerous Drugs, a felony, in violation of §45-9-102, MCA. The sentence was ordered to run concurrent with any other sentence the Defendant is currently serving, specifically BDC-16-559, and Missoula County Cause Number DC-15-200. The Defendant was given credit for time served of 130 days.

On February 10, 2022, 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 Crossroads Correctional Center and was represented by Mark Epperson, Defense Counsel. The State was not represented.

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. The Defendant gave a statement.

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.

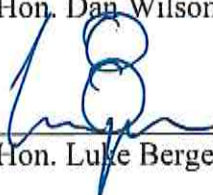
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

DATED this 21<sup>st</sup> day of February, 2022.

SENTENCE REVIEW DIVISION

  
\_\_\_\_\_  
Hon. Jessica Fehr, Chair

  
\_\_\_\_\_  
Hon. Dan Wilson, Member

  
\_\_\_\_\_  
Hon. Luke Berger, Member

Copies mailed or emailed this 22<sup>nd</sup> day of February, 2022, to:

- Clerk of District Court – *via email*
- Brandon Marcus Severson #3017291, Defendant (2)
- Hon. Olivia Reiger – *via email*
- Mark Epperson, Defense Counsel – *via email*
- Kory V. Larsen, Esq. – *via email*
- Board of Pardons and Parole – *via email*
- MSP - Records Dept. – *via email*

  
\_\_\_\_\_  
Shelly Smith, Office Administrator  
Sentence Review Division