

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-17-544  
)  
Plaintiff, ) Flathead County District Court  
)  
-vs- ) Montana Eleventh Judicial District  
)  
BRYAN MICHAEL CONNER, )  
) **DECISION**  
)  
Defendant. )

On August 12, 2021, the Court found the Defendant in violation of the terms and conditions of the sentence imposed on November 1, 2018, revoked the suspended sentence, and sentenced the Defendant to the Montana State Prison for a period of ten (10) years, with five (5) years suspended, for the offense of Count I: Sexual Abuse of Children, a felony, in violation of §45-5-625 (1)(e), MCA.

The Defendant was credited with time served in the amount of 139 days in custody pending final disposition in this matter. The Defendant received twenty-one (21) months credit for any time otherwise served on probation. The Defendant was previously granted credit for one hundred sixty-one (161) days for time served in the Judgment dated November 1, 2018.

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 Graham Cobb, third year law student, working under the supervision of Abigail Rogers, who was also present. 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 21st day of February, 2022.

SENTENCE REVIEW DIVISION

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

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

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

Copies mailed or emailed this 22nd day of February, 2022, to:

Clerk of District Court – *via email*  
Bryan Michael Conner #3025088, Defendant (2)  
Hon. Heidi Ulbricht – *via email*  
Abigail Rogers, Esq. – *via email*  
Graham Cobb – *via email*  
Andrew Clegg, Esq. – *via email*  
Board of Pardons and Parole – *via email*  
MSP - Records Dept. – *via email*

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