

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-21-018
)
Plaintiff,) Rosebud County District Court
-vs-)
) Montana Sixteenth Judicial District
)
WILLIAM GRANT KNUDSEN,) **DECISION**
)
Defendant.)

On November 1, 2021, the Defendant was sentenced as follows: Count I: A three (3) year commitment to the Montana Department of Corrections, with none suspended, for the offense of Criminal Possession of Dangerous Drugs – Methamphetamine, a felony, in violation of §45-9-102, MCA; and Count II: A three (3) year commitment to the Montana Department of Corrections, with none suspended, for the offense of Criminal Possession of Dangerous Drugs - Marijuana, a felony, in violation of §45-9-102(1), MCA. The sentences in Counts I and II were ordered to run concurrently with each other but consecutively to the sentence in Rosebud County Cause Number DC-16-036.

The Court recommended the Defendant be screened by the Department of Corrections for inpatient chemical dependency treatment to be followed by at least 5 months of supervised pre-release. The Defendant received credit for 36 days jail time served toward each count.

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 Missoula Pre-Release 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 requested that he be allowed to visit with Defense Counsel to help decide if he was ready to proceed with his sentence review hearing as Defense Counsel had briefly met with him and hadn't given sufficient

time to discuss his case with him prior to the hearing. Chair, Jessica Fehr, granted the Defendant and Counsel time off the record and in a breakout room to discuss the matter. After visiting with Counsel, the Defendant 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



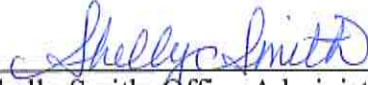
Hon. Dan Wilson, Member



Hon. Luke Berger, Member

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

Clerk of District Court – *via email*
William Grant Knudsen #46428, Defendant (2)
Hon. Nickolas C. Murnion – *via email*
Mark Epperson, Defense Counsel – *via email*
C. Kristine White, Esq. – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division