

Sentence Review Division  
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**FILED**  
**NOV 17 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-20-397  
)  
Plaintiff, ) Missoula County District Court  
)  
-vs- ) Montana Fourth Judicial District  
)  
RANDALL JOSEPH STEVENS, ) **DECISION**  
)  
Defendant. )

On February 17, 2022, the Defendant was sentenced to three (3) years to the Montana Department of Corrections for the offense of Count I: Theft – Obtain or Exerts Unauthorized Control over Property Exceeding \$1,500, a Felony, in violation of §45-6-301(1)[4], MCA. The Defendant received 228 days credit for time served and was ordered to pay court ordered restitution in the amount of \$685.38.

On November 3, 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 Connections Corrections Program in Warm Springs and was represented by Penelope Strong, Defense Counsel. The State was not represented. The Defendant gave a statement.

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.

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 17th day of November, 2022.

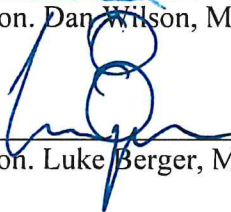
SENTENCE REVIEW DIVISION



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Hon. Jessica Fehr, Chair



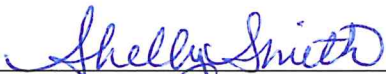
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Hon. Dan Wilson, Member



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Hon. Luke Berger, Member

Copies mailed or emailed this 17th day of November, 2022, to:

- Clerk of District Court – *via email*
- Randall Joseph Stevens #3010506, Defendant
- Hon. John Larson – *via email*
- Penelope Strong, Defense Counsel – *via email*
- Leta Womack, Esq. – *via email*
- Board of Pardons and Parole – *via email*
- MSP - Records Dept. – *via email*



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Shelly Smith, Office Administrator  
Sentence Review Division