

Sentence Review Division
301 South Park, Suite 328
P.O. Box 203005
Helena, MT 59620-3005
Phone: (406) 841-2976
E-mail: shellysmith@mt.gov

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,)	Cause No. DC-22-029
)	
)	Plaintiff,
)	Powell County District Court
-vs-)	Montana Third Judicial District
)	
)	ORDER TO VACATE AND CONTINUE
JOHN THURLOW MOSBY,)	SENTENCE REVIEW HEARING
)	
)	
_____ Defendant.)	

On February 2, 2023, 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 Montana State Prison and was represented by David Merchant, Defense Counsel. The State was not represented.

Before hearing the application, Mr. Merchant informed the Division that he had visited with the Defendant and asked that the sentence review hearing be continued to allow him additional time to meet with the Defendant to prepare for his sentence review hearing.

IT IS ORDERED that the Defendant's sentence review hearing is **CONTINUED** to the next available hearings scheduled for May 4 – 5, 2023. Notification will be sent to interested parties at least thirty (30) days prior providing the actual time and date of the hearing.

DATED this 15 day of February, 2023.



Hon. Dan Wilson, Chair
SENTENCE REVIEW DIVISION

CERTIFICATE OF SERVICE

I hereby certify that I mailed a true copy of the forgoing Order to Vacate and Continue Sentence Review Hearing by depositing the same in the U.S. Mail, postage prepaid, or via electronic service this 16th day of February, 2023, to the following:

Clerk of District Court
Powell County
409 Missoulri Ave., Ste. 302
Deer Lodge, MT 59722 – *via email*

Patrick Moody, Esq.
Assistant Attorney General
P.O. Box 201401
Helena, MT 59620-1401 – *via email*

David A. Merchant, II
Attorney at Law
P.O. Box 50336
Billings, MT 59105 – *via email*

Office of State Public Defender
502 S. 19th Ave., Ste 211
Bozeman, MT 59718 – *via email*

John Thurlow Mosby #3026413
Montana State Prison
400 Conley Lake Road
Deer Lodge, MT 59722

Hon. Ray Dayton
3rd Judicial District
409 Missouri Avenue, Ste 302
Deer Lodge, MT 59722 – *via email*



Shelly Smith, Office Administrator
SENTENCE REVIEW DIVISION