

Sentence Review Division
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FILED
08/15/2023
SENTENCE REVIEW DIVISION
OF THE SUPREME COURT
OF THE STATE OF MONTANA

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA


STATE OF MONTANA,)
) Cause No. DC-39-2011-0000068-IN
)
) Plaintiff,)
)
) -vs-)
) Powell County District Court
) Montana Third Judicial District
)
)
) CODY JOSEPH FLESCH,) **ORDER TO CONTINUE SENTENCE**
) **REVIEW HEARING**
)
)
) Defendant.)

On August 3, 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 was unable to sufficiently meet with the Defendant prior to the hearing and asked that the sentence review hearing be continued to the next available set of hearings to have sufficient time to meet with the Defendant and properly prepare his case. The Defendant agreed to continue his hearing.

IT IS ORDERED that the Defendant's sentence review hearing is **CONTINUED** to the next available hearings on November 2 – 3, 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 15th day of August, 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 Continue Sentence Review Hearing by depositing the same in the U.S. Mail, postage prepaid, or via electronic service this 15th day of August, 2023, to the following:

Clerk of District Court
Powell County
409 Missouri Avenue,
Ste 302
Deer Lodge, MT 59722– *via email*

Kathryn McEnery, County Attorney
Powell County Attorney's Office
409 Missouri Avenue, Room 301
Deer Lodge, MT 59722 – *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*

Cody Joseph Flesch #3004653
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