

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-1-2022-0004096-IN  
)  
Plaintiff, ) Beaverhead County District Court  
) Montana Fifth Judicial District  
-vs- )  
)  
KERRY ROGER SEWELL, ) **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 Crossroads Correctional Center and was represented by Tyler Dugger, Defense Counsel. The State was represented by Jed Fitch.

Before hearing the application, the Division DENIED the State's Objection to Defendant's Application for Sentence Review in that the objection was not filed timely. Mr. Dugger requested additional time to prepare for the Defendant's Sentence Review Hearing and asked that it be continued to the next available set of hearings. The Chair informed the parties that due to the continuance, the State may request to renew its objection to the Application for Review of Sentence.

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 15<sup>th</sup> day of August, 2023.

  
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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  
Beaverhead County  
2 South Pacific Street, #5  
Dillon, MT 59725 – *via email*

Jed Fitch, County Attorney  
Beaverhead County Attorney's Office  
3 South Pacific #2  
Dillon, MT 59725 – *via email*

Tyler Dugger  
Attorney at Law  
P.O. Box 1913  
Billings, MT 59103-1913 – *via email*

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

Kerry Roger Sewell #3011754  
Crossroads Correctional Center  
50 Crossroads Drive  
Shelby, MT 59474

Hon. Luke Berger  
5th Judicial District Court  
2 South Pacific #6  
Dillon, MT 59725 – *via email*

  
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Shelly Smith, Office Administrator  
SENTENCE REVIEW DIVISION