

Sentence Review Division  
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**FILED**

**DEC 07 2023**

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-7-2017-0000315-IN  
)  
Plaintiff, ) Cascade County District Court  
-vs- )  
) Montana Eighth Judicial District  
RANDY CHRISTOPHER ARCHIBALD, )  
) **DECISION**  
)  
Defendant. )

On April 26, 2023, the Court found the Defendant in violation of the terms and conditions of the sentence imposed on August 6, 2019, revoked the suspended sentence, and sentenced the Defendant to twenty (20) years to the Montana State Prison, with no time suspended, for the offense of Count II: Aggravated Assault, a Felony, in violation of § 45-5-202, MCA. The Defendant was given credit of 2,052 days for time served. All other terms, conditions, and provisions of the original sentencing order remained in effect.

On November 2, 2023, 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 Crossroads Correctional Center and was represented by Teal Mittelstadt, Defense Counsel. The State was represented by Amanda Lofink. Hon. John Larson was present and gave a statement. 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

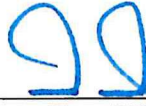
not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

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 30 day of November, 2023.

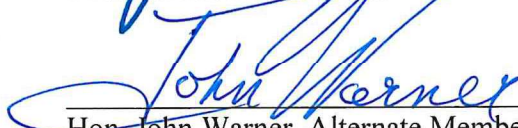
SENTENCE REVIEW DIVISION



Hon. Dan Wilson, Chair



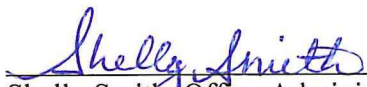
Hon. Jessica Fehr, Member



Hon. John Warner, Alternate Member

Copies mailed or emailed this 7<sup>th</sup> day of December, 2023, to:

Clerk of District Court – *via email*  
Randy Christopher Archibald #2065169, Defendant  
Hon. John W. Larson – *via email*  
Teal Mittelstadt, Defense Counsel – *via email*  
Amanda L. Lofink, Esq. – *via email*  
Board of Pardons and Parole – *via email*  
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator  
Sentence Review Division