

FEB 02 2024

SENTENCE REVIEW DIVISION  
OF THE SUPREME COURT  
STATE OF MONTANA

Sentence Review Division  
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## SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA, ) Cause No. DC-25-2023-0000038-IN  
                          )  
Plaintiff, ) Lewis & Clark County District Court  
                          )  
                          Montana First Judicial District  
-vs-                  )  
                          )  
DAVID JOSHUA COTNOIR, ) **ORDER OF DISMISSAL**  
                          )  
                          )  
Defendant. )

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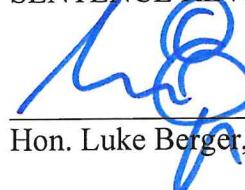
On February 1, 2024, the Defendant's Application for review of that sentence came on for hearing by Zoom videoconference before the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant appeared from the Great Falls Transition Center and was represented by Tyler Dugger. The State was not represented.

At the outset of the hearing, Defense Counsel informed the Division that after consulting with the Defendant, the Defendant informed him that he wished to waive his Sentence Review hearing. The Defendant verbally verified his desire to waive his right to sentence review.

Therefore, it is the unanimous decision of the Sentence Review Division that the Defendant WAIVED his right to sentence review and his Application is **DISMISSED WITH PREJUDICE**.

DATED this 1<sup>st</sup> day of February, 2024.

SENTENCE REVIEW DIVISION



Hon. Luke Berger, Chairperson

Copies mailed or emailed this 2nd day of February, 2024, to:

Clerk of District Court – *via efilng*  
David Joshua Cotnoir #3024532  
Hon. Mike Menahan – *via email*  
Tyler Dugger, Defense Counsel – *via email*  
Rune Vander Wey, Deputy Co. Attorney – *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