

FILED

MAY 31 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-21-2009-0000003-IN
)	
)	Hill County District Court
)	
-vs-)	Montana Twelfth Judicial District
)	
KIM A. NORQUAY, JR, aka BUGGZ)	DECISION
IRONMAN-WHITECOW,)	
)	
)	
Defendant.)	

On January 13, 2010, the Defendant was sentenced for a period of Ten (10) years for the offense of Count I: Possession of Deadly Weapon by a Prisoner, a Felony, in violation of §45-8-318(1)(a)(i), MCA, to run consecutive to any other sentence previously receive.

The Court decreed the Defendant was designated as a Persistent Felony Offender for the April 3, 2009 conviction of deliberate homicide by accountability and tampering with evidence in Hill County Cause No. DC-07-079.

The Defendant was given credit for 371 days previously served.

On May 2, 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 Montana State Prison and was represented by Rufus Peace, Defense Counsel. The State was represented by Assistant Attorney General, Daniel Guzynski. Joyce Metcalf, sister of the victim in Cause No. DC-07-079, 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 31st day of May, 2024.

SENTENCE REVIEW DIVISION



Hon. Luke Berger, Chair




Hon. Jessica Fehr, Member



Hon. Matthew Cuffe, Member

Copies mailed or emailed this 31st day of May, 2024, to:

Clerk of District Court – *via email*
Kim A. Norquay, Jr., aka Buggz Ironman-Whitecow #3001240, Defendant
Hon. Kadydee Snipes-Ruiz – *via email*
Rufus Peace, Defense Counsel – *via email*
Daniel Guzynski, Assistant Attorney General – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division