

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

STATE OF MONTANA,) Cause No. DC-18-2017-0000051-IN
)
Plaintiff,) Glacier County District Court
)
-vs-)
) Montana Ninth Judicial District
LEONARD DAVID VILLA,)
) **DECISION**
)
Defendant.)

On August 29, 2018, the Court ordered the Defendant sentenced, as a Persistent Felony Offender, to Ten (10) years to the Montana State Prison, with no suspension of time, for the offense of Count I: Theft, a Felony, in violation of §45-6-301(1), MCA. The Court further ordered that any suspended portion of the Defendant's sentence imposed be subjected to the terms and conditions [34 Conditions]. The Defendant was given credit for time served of 277 days.

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 Crossroads Correctional Center and was represented by Tyler Dugger, Defense Counsel. The State was not represented. The Defendant did not give 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



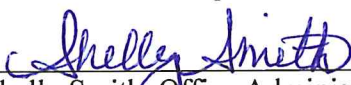
Hon. Jessica Fehr, Member



Hon. Matthew Cuffe, Member

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

Clerk of District Court – *via email*
Leonard David Villa #3022093, Defendant
Hon. Gregory Bonilla – *via email*
Tyler Dugger, Defense Counsel – *via email*
Joseph Sherwood, Deputy Co. Attorney – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division