

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

STATE OF MONTANA,)	Cause No. DC-42-2014-0000125-IN
)	
-vs-)	Richland County District Court
)	
JAMES WILSON DEAN,)	Montana Seventh Judicial District
)	DECISION
)	
Defendant.)	

On June 6, 2024, the Court found the Defendant violated the conditions of his sentence, revoked the sentence, and sentenced him to ten (10) years to the Montana State Prison, none suspended, for the offense of Count I: Aggravated Assault, a Felony, in violation of §45-5-202, MCA. The Defendant was given credit for one thousand nine hundred twenty-one (1,921) days street time; and given credit for thirty-five (35) days for time served in jail. The Defendant was ordered subject to the same conditions as contained in the Judgment filed on December 14, 2015, and orally pronounced on November 18, 2015.

On November 14, 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 Dawson County Correctional Facility and was represented by Teal Mittelstadt, Defense Counsel. The State was not represented.

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. The Defendant did not give a statement.

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-

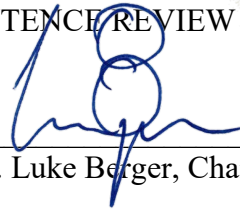
904(3), MCA).

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.

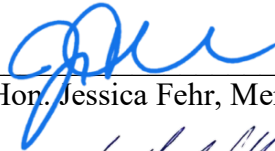
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

DATED this 26th day of November, 2024.

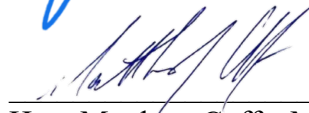
SENTENCE REVIEW DIVISION



Hon. Luke Berger, Chair



Hon. Jessica Fehr, Member



Hon. Matthew Cuffe, Member

Copies mailed or emailed this 26th day of November, 2024, to:

Clerk of District Court – *via email*
James Wilson Dean #3009025, Defendant
Hon. Katherine M. Bidegaray – *via email*
Teal Mittelstadt, Defense Counsel – *via email*
Charity McLarty, County Attorney – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division