

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

STATE OF MONTANA,)	Cause No. DC-32-2022-0000074-IN
)	
Plaintiff,)	Missoula County District Court
)	Montana Fourth Judicial District
-vs-)	
)	ORDER TO CONTINUE
BRYAN MICHAEL WHEELER,)	SENTENCE REVIEW HEARING
)	
Defendant.)	

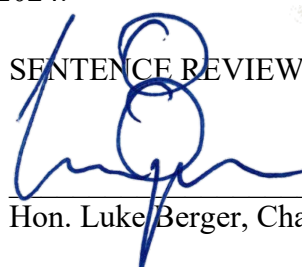
On November 14, 2024, the Defendant appeared via Zoom videoconference from the Montana State Prison before the Sentence Review Division of the Montana Supreme Court at the time set for a hearing to review his sentence. Defense Counsel, Rufus Peace, was present and appeared via Zoom videoconference. The victim’s mother, Brandy Hathaway, was also present via Zoom videoconference. The State was not represented.

At the outset of the hearing, Defense Counsel informed the Division that the Defendant wishes to continue his sentence review hearing to pursue an out of time Appeal. The Defendant verbally verified his wish to pursue an out of time Appeal.

IT IS ORDERED that the Defendant’s sentence review hearing is **CONTINUED** to the next available hearings on February 6 – 7, 2025. If the Defendant files an out of time Appeal with the Montana Supreme Court, the Defendant and/or Defense Counsel shall notify the Division. The Division will then dismiss the Application for Review of Sentence without prejudice. If an Appeal is not filed prior to the next round of hearings, the sentence review hearing will be scheduled. Notification will be sent to interested parties at least thirty (30) days prior providing the actual time and date of the hearing.

DATED this 14th day of November, 2024.

SENTENCE REVIEW DIVISION



Hon. Luke Berger, Chair

CERTIFICATE OF SERVICE

I hereby certify that I served a true copy of the foregoing **Order to Continue Sentence Review Hearing** by depositing the same in the U.S. Mail, postage prepaid, or via electronic service this 19th day of November, 2024 to the following:

Clerk of District Court
Missoula County
200 W. Broadway
Missoula, MT 59802
Via email

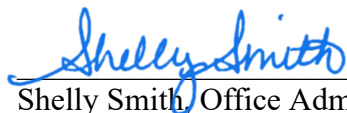
Ryan Mickelson, Deputy Co. Attorney
Missoula County Attorney's Office
200 West Broadway
Missoula, MT 59802
Via email

Rufus Peace
Attorney at Law
Via email

Hon. Jason Marks
4th Judicial District Court
200 W. Broadway
Missoula, MT 59802
Via email

Office of State Public Defender
502 S. 19th Ave., Ste 211
Bozeman, MT 59718
Via email

Bryan Michael Wheeler #3035716
Montana State Prison
400 Conley Lake Road
Deer Lodge, MT 59722



Shelly Smith, Office Administrator
SENTENCE REVIEW DIVISION