

Sentence Review Division
301 S. Park Ave., Suite 328
P.O. Box 203005
Helena, MT 59620-3005
Phone: (406) 841-2976
Email: srdapplication@mt.gov

FILED
04/15/2025
SENTENCE REVIEW DIVISION
OF THE SUPREME COURT
OF THE STATE OF MONTANA

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,)	Cause No. DC-47-2023-0000350
)	
Plaintiff,)	Silver Bow County District Court
)	
-vs-)	Montana Second Judicial District
)	
ANGELINA MARIE DEMPSEY,)	DECISION
)	
<u>Defendant.</u>)	

On September 4, 2024, the Defendant was sentenced to ten (10) years commitment to the Department of Corrections, with five (5) years suspended, for the offense of Count I: Criminal Endangerment, a Felony, in violation of §45-5-207, MCA. The Defendant was given credit for time served in the amount of 293 days. The Court ordered the Defendant screened and placed in a treatment program to address any chemical dependency and/or mental health issues. The Court further ordered that the Defendant not have any contact with the victims in the matter and not enter or remain on the premises at 801 S. Utah, Butte, MT.

On April 4, 2025, 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 Elkhorn Treatment Facility and was represented by Teal Mittelstadt, Defense Counsel. The State was not represented. 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 she understood this and stated that she 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 15th day of April, 2025.


SENTENCE REVIEW DIVISION



Hon. Jessica Fehr, Chair



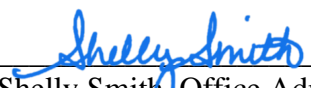
Hon. Matthew Cuffe, Member



Hon. Christopher Abbott, Member

Copies mailed or emailed this 15th day of April, 2025, to:

Clerk of District Court – *via email*
Angelina Marie Dempsey #3018617, Defendant
Hon. Robert Whelan – *via email*
Teal Mittelstadt, Defense Counsel – *via email*
State Office of the Public Defender
Angie Rolando, Esq – *via email*
Board of Pardons and Parole – *via email*
MWP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division