

MONTANA _____ JUDICIAL DISTRICT COURT
_____ COUNTY

FORM NO. 2
APPLICATION FOR REVIEW OF SENTENCE

STATE OF MONTANA,
Plaintiff,

vs.

Cause No. _____

_____,
Defendant.

TO: The Clerk of the above-captioned Court:

The above-named defendant states:

(1) That on the _____ day of _____, 20____, I was sentenced in the above-entitled action to serve: _____

(2) That I request that the Sentence Review Division of the Supreme Court of Montana review my sentence.

(3) In accordance with Supreme Court Order entitled "In re Sentence Review Division of the Montana Supreme Court", dated May 14, 1998: **[Please Select One]**

_____ I understand that court appointed counsel has an obligation to continue to represent me through Sentence Review. I request to be represented by my court appointed counsel at the Sentence Review hearing.

_____ I will hire an attorney, at my own expense, to represent me at the Sentence Review hearing.

_____ I will represent myself at the Sentence Review hearing.

(4) That I consent and agree that by making this application for review, my sentence may be increased, decreased, affirmed without change, or otherwise modified, and that there is no appeal from the decision herein to be made.

DATED this _____ day of _____, 20____.

Petitioner

Instructions to the Defendant:

Once this application is complete, you need to mail it to the Clerk of the District Court from the county in which you were sentenced. DO NOT MAIL THIS APPLICATION DIRECTLY TO THE SENTENCE REVIEW DIVISION.

SENTENCE REVIEW SUPPLEMENT

The following paragraphs help explain what the Sentence Review Division may do with an inmate's sentence. Please read carefully.

- *The Sentence may be increased, decreased, affirmed as entered by the trial court, or otherwise altered by the Sentence Review Division*
- *The Sentence Review Division shall further review the sentence, with a view to removing dangerous and habitual offenders from society and providing corrective treatments for such long terms as needed.*
- *The sentence imposed by the District Court is presumed correct, and the sentence will not be reduced or increased unless it is deemed clearly inadequate or excessive.*
- *The Sentence Review Division will not consider any matter or development subsequent to the imposition of the sentence in the District Court.*
- *The Sentence Review Division will hold an individual responsible and accountable for his/her actions and shall ensure the persons convicted of crime are dealt with in accordance with their individual characteristics, circumstance, needs and potentialities.*
- *All appeals must be completed prior to appearing before the Sentence Review Division.*
- *THE DECISION OF THE SENTENCE REVIEW DIVISION WILL BE FINAL AND CANNOT BE APPEALED.*
- *Sentence review is not a retrial; your guilt is the law of the case and not at issue. Credit for time served is not an issue; this should be addressed to the original sentencing court. Your conduct since sentencing is not relevant. Programs you have completed in prison are not relevant. Post conviction relief issues are not relevant.*