

Sentence Review Division
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FILED
10/18/2023
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-41-2023-0000018-IN
)
Plaintiff,) Ravalli County District Court
)
-vs-) Montana Twenty-First Judicial District
)
CATHERINE LILA ROBERTS,) **DECISION**
)
Defendant.)

On April 13, 2023, the Defendant was sentenced to ten (10) years commitment to the Department of Corrections, with five (5) years suspended, for the offense of Charge I: Attempt to Tamper with or Fabricate Physical Evidence, a Felony, in violation of §§45-7-207 and 45-4-103, MCA. The sentence was ordered to run concurrently with the sentences imposed in DC-16-234 and DC-22-176.

The Defendant was given credit for 42 days already served. The Court recommended that the Defendant be screened for all appropriate non-prison placements, and specifically screened for all applicable drug or substance abuse treatment programs.

On September 29, 2023, 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 Passages Drug and Alcohol and Treatment Facility and was represented by David Merchant, Defense Counsel. The State was represented by David Lakin.

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. The Defendant gave 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.

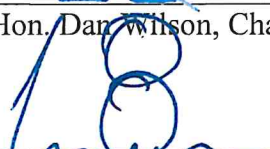
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

DATED this 16th day of October, 2023.

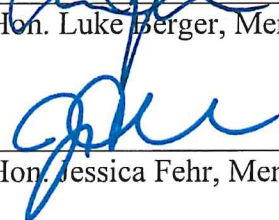
SENTENCE REVIEW DIVISION



Hon. Dan Wilson, Chair



Hon. Luke Berger, Member



Hon. Jessica Fehr, Member

Copies mailed or emailed this 16th day of October, 2023, to:

Clerk of District Court – *via email*
Catherine Lila Roberts #3020414, Defendant (2)
Hon. Jennifer Lint – *via email*
David Merchant, Defense Counsel – *via email*
David Lakin – *via email*
Board of Pardons and Parole – *via email*
MWP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division