

Sentence Review Division  
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**FILED**

**MAY 17 2022**

SENTENCE REVIEW DIVISION  
OF THE SUPREME COURT  
STATE OF MONTANA

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA, ) Cause No. DC-19-787  
)  
Plaintiff, ) Yellowstone County District Court  
)  
-vs- ) Montana Thirteenth Judicial District  
)  
LUCAS CHRISTIAN WORM, )  
) **DECISION**  
)  
Defendant. )

On June 28, 2021, the Defendant was sentenced to a commitment to the Department of Corrections for a period of five (5) years, none suspended, for the offense of Count I: Strangulation of Partner or Family Member – First Offense, a felony, in violation of §45-5-215, MCA, to run concurrently with DC-14-0977.

The Defendant received credit for time spent in pre-trial incarceration from June 18, 2019 through July 4, 2019. The Court ordered the Defendant to enroll in and successfully complete the Batterers Intervention Program.

On May 5, 2022, 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 Yellowstone County Detention Facility and was represented by Nicholas Hyde, Defense Counsel. The State was represented by Christopher Morris. 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 he understood this and stated that he 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 17th day of May, 2022.

SENTENCE REVIEW DIVISION

  
\_\_\_\_\_  
Hon. Jessica Fehr, Chair

  
\_\_\_\_\_  
Hon. Dan Wilson, Member

  
\_\_\_\_\_  
Hon. Luke Berger, Member

Copies mailed or emailed this 18th day of May, 2022, to:

- Clerk of District Court – *via email*
- Lucas Christian Worm #3016574, Defendant
- Hon. Donald Harris – *via email*
- Nicholas Hyde, Defense Counsel – *via email*
- Christopher Morris, Esq. – *via email*
- Board of Pardons and Parole – *via email*
- MSP - Records Dept. – *via email*

  
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Shelly Smith, Office Administrator  
Sentence Review Division