

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

FILED

MAR 11 2020

**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-99-010B
)	
Plaintiff,)	Flathead County District Court
)	Montana Eleventh Judicial District
-vs-)	
)	DECISION
JEREMIAH GRANT MORGAN,)	
)	
Defendant.)	

On July 11, 2019, for violations of the terms and conditions of the prior sentence imposed April 2, 2009, the Court revoked the Defendant's suspended sentence and sentenced the Defendant to a commitment to the Department of Corrections for a term of three (3) years, for the offense of Burglary, a Felony, in violation of §45-6-2041, MCA. The Defendant was given 137 days credit of time served pending final disposition.

On February 21, 2020, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant appeared by video conferencing from the Silver Bow County Courtroom and was represented by Abigail Rogers, Defense Counsel. The State was not represented.

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**.

Done in open Court this 21st day of February, 2020.

DATED this 11th day of March, 2020.

SENTENCE REVIEW DIVISION



Hon. Dan Wilson, Chairperson



Hon. Luke Berger, Member



Hon. Jessica Fehr, Member

Copies mailed this 11th day of March, 2020, to:

Clerk of District Court (Original)
Jeremiah Grant Morgan #44974, Defendant (2)
Hon. Robert B. Allison
Abigail Rogers, Defense Counsel
Alison Elaine Howard, Esq.
Board of Pardons and Parole
MSP - Records Dept.


Shelly Smith, Office Administrator
Sentence Review Division