

Sentence Review Division
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FILED

JUN 07 2021

**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-20-245
)
Plaintiff,) Gallatin County District Court
)
-vs-) Montana Eighteenth Judicial District
)
OSCAR LEE MEJIA,) **DECISION**
)
Defendant.)

On November 23, 2020, the Defendant was sentenced to a commitment to the Department of Corrections for thirty (30) months, for the offense of Count I: Deceptive Practices, as Part of a Common Scheme, a felony, in violation of §45-6-317, MCA. The sentence was ordered to run concurrently with all other sentences the Defendant is currently serving. The Administrative fee, victim witness fee, user surcharges, and the assigned counsel fee were waived. The Court recommended placement in the Corrections Connections Program. The Defendant received credit for 186 days previously served.

On May 20, 2021, 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 Gallatin County Re-Entry Program, in Bozeman, Montana, and was represented by Brent Getty, 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 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 7th day of ~~May~~ ^{June}, 2021.

SENTENCE REVIEW DIVISION



Hon., Luke Berger Chairperson



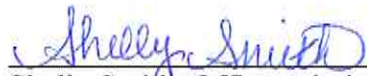
Hon. Jessica Fehr, Member



Hon. Dan Wilson, Member

Copies mailed or emailed this 7th day of June, 2021, to:

Clerk of District Court – *via email*
Oscar Lee Mejia #3014774, Defendant (2)
Hon. Rienne H. McElyea – *via email*
Brent Getty, Defense Counsel – *via email*
Marty Lambert, Esq. – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division