

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-20-132B
)
Plaintiff,) Flathead County District Court
)
-vs-) Montana Eleventh Judicial District
)
JEREMY BRANDON OLTZ,) **DECISION**
)
Defendant.)

On December 31, 2020, the Defendant was sentenced to a commitment to the Department of Corrections for a period of three (3) years, with a recommendation for Connections Corrections followed by pre-release, for the offense of Count I: Deceptive Practices, a Felony, in violation of § 45-6-317(1)(d)(i) MCA. The Defendant was given credit for forty-five (45) days served in custody pending final disposition in this matter.

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 Missoula County Jail, in Missoula, Montana, and was represented by Dan Biddulph, 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



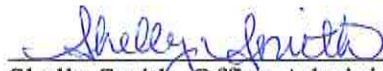
Hon. Jessica Fehr, Member



Hon. Dan Wilson, Member

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

Clerk of District Court – *via email*
Jeremy Brandon Oltz #43996, Defendant (2)
Hon. Robert B. Allison – *via email*
Dan Biddulph, Defense Counsel – *via email*
John Donovan, Esq. – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division