

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
MAY 24 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-12-0057
)
Plaintiff,) Dawson County District Court
) Montana Seventh Judicial District
-vs-)
) **ORDER OF DISMISSAL**
TRACY K. ORCUTT,)
)
)
Defendant.)

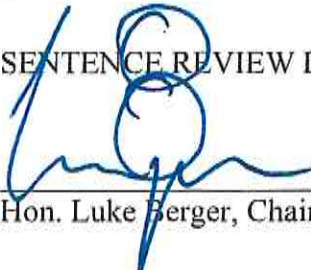
On May 21, 2021, the Defendant's Application for Review of Sentence came on for hearing by Zoom videoconference before the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant appeared by video conferencing from the Connections Corrections facility, in Butte, Montana, and was represented by Teal Mittelstadt, Defense Counsel. The State was not represented.

Defense Counsel made an oral motion to vacate the Sentence Review hearing and dismiss the Defendant's Application for Review of Sentence. The Defendant verbally verified his desire to waive his right to sentence review.

Therefore, it is the unanimous decision of the Sentence Review Division that the Defendant WAIVED his right to sentence review and his Application is **DISMISSED WITH PREJUDICE**.

DATED this 24th day of May, 2021.

SENTENCE REVIEW DIVISION



Hon. Luke Berger, Chairperson

Copies mailed or emailed this 25th day of May, 2021, to:

Clerk of District Court – *via email*
Tracy K. Orcutt #47292, Defendant
Hon. Michael Hayworth – *via email*
Teal Mittelstadt, Defense Counsel – *via email*
Brett Irigoin, Esq. – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division