

Sentence Review Division
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FILED

AUG 17 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-20-082
)
Plaintiff,) Gallatin County District Court
) Montana Eighteenth Judicial District
)
-vs-)
) **ORDER OF DISMISSAL**
)
KYLE MCCOMMON,)
)
Defendant.)

On August 12, 2021, the Defendant appeared before the Sentence Review Division of the Montana Supreme Court at the time set for a hearing to review his sentence. The Defendant appeared by Zoom video conferencing from the Crossroads Correctional Center and was represented by Teal Mittelstadt, Defense Counsel. The State was represented by Jordan Salo.

At the outset of the hearing, Defense Counsel made an oral motion to vacate the Sentence Review hearing and dismiss with prejudice 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 17th day of August, 2021.

SENTENCE REVIEW DIVISION



Hon. Luke Berger, Member

Copies mailed or emailed this 17th day of August, 2021, to:

Clerk of District Court
Kyle McCommon #3009347, Defendant
Hon. John C. Brown
Teal Mittelstadt, Defense Counsel
Jordon Salo, Esq.
Board of Pardons and Parole
MSP - Records Dept.



Shelly Smith, Office Administrator
Sentence Review Division