

Sentence Review Division
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FILED

FEB 22 2022

**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-10-322
)	
Plaintiff,)	Lewis & Clark County District Court
-vs-)	
)	Montana First Judicial District
JEFFREY KARL AASUM,)	
)	DECISION
Defendant.)	
)	

On June 11, 2021, the Court found the Defendant in violation of the terms and conditions of the sentence imposed on November 18, 2010, revoked the suspended sentence, and sentenced the Defendant to the Montana State Prison for a period of fifteen (15) years, with five (5) years suspended, for the offense of Count I: Burglary, a felony, in violation of §45-6-204, MCA.

The Defendant was given credit for time served from January 19, 2021 through June 1, 2021. The Defendant was given credit for seven (7) days of street time while under supervision before he absconded. The Court recommended the Defendant not be released until he completes III.5 chemical dependency treatment as recommended in the latest chemical dependency evaluation.

On February 10, 2022, 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 Montana State Prison and was represented by Sadie Busch, 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. The Defendant gave a statement.

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 21st day of February, 2022.

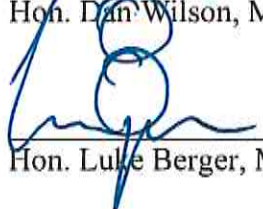
SENTENCE REVIEW DIVISION



Hon. Jessica Fehr, Chair



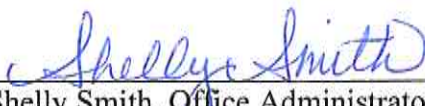
Hon. Dan Wilson, Member



Hon. Luke Berger, Member

Copies mailed or emailed this 22nd day of February, 2022, to:

Clerk of District Court – *via email*
Jeffrey Karl Aasum #2073772, Defendant (2)
Hon. Michael McMahon – *via email*
Sadie Busch, Defense Counsel – *via email*
Leo Gallagher, Esq. – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division