

Sentence Review Division  
301 S. Park, Suite 328  
P.O. Box 203005  
Helena, MT 59620-3005  
Phone: (406) 841-2976  
Email: [shellysmith@mt.gov](mailto:shellysmith@mt.gov)

**FILED**

**APR 27 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-13-048  
 )  
 ) Plaintiff, ) Sanders County District Court  
 )  
 -vs- )  
 ) Montana Twentieth Judicial District  
 KAILEE MARIE SALTER - LINDQUIST, )  
 ) **DECISION**  
 )  
 )  
 ) Defendant. )

On December 13, 2021, the Court found the Defendant in violation of the conditions of the suspended sentence imposed on January 27, 2015, revoked the sentence, and sentenced the Defendant to the Department of Corrections for a term of five (5) years, with no time 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 in the amount of one hundred twenty four (124) days.

On April 8, 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 Choteau County Jail and was represented by Sadie Busch, 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 she understood this and stated that she 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 26th day of April, 2022.

SENTENCE REVIEW DIVISION

  
\_\_\_\_\_  
Hon. Jessica Fehr, Chair

  
\_\_\_\_\_  
Hon. Dan Wilson, Member

  
\_\_\_\_\_  
Hon. Luke Berger, Member

Copies mailed or emailed this 27th day of April, 2022, to:

- Clerk of District Court – *via email*
- Kailee Marie Salter - Lindquist #3013443, Defendant (2)
- Hon. James Manley – *via email*
- Sadie Busch, Esq. – *via email*
- Naomi R. Leisz, Esq. – *via email*
- Board of Pardons and Parole – *via email*
- MWP - Records Dept. – *via email*

  
\_\_\_\_\_  
Shelly Smith, Office Administrator  
Sentence Review Division