

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

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-08-050
)	
Plaintiff,)	Missoula County District Court
)	
-vs-)	Montana Fourth Judicial District
)	
ERINN SUMMER WHITE,)	
)	DECISION
)	
Defendant.)	

On September 22, 2021, the Court found the Defendant in violation of the terms and conditions the sentence imposed on March 26, 2020, revoked the sentence, and sentenced the Defendant to a commitment of Ten (10) years to the Department of Corrections, none suspended, for the offense of Count I: Burglary, a felony, in violation of §45-6-204(1), MCA. The Defendant was ordered to attend treatment at the Elkhorn Treatment Center, followed by Prerelease. The Defendant shall then be eligible for conditional release. The Defendant was given one (1) year and two (2) weeks for street time, and credit for time served in the amount of 135 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 Elkhorn Treatment Center and was represented by Teal Mittelstadt, Defense Counsel. The State was not represented. Hon. John Larson appeared and provided a statement. The Defendant provided 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.

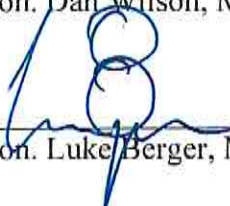
SENTENCE REVIEW DIVISION



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*
Erinn Summer White #3000538, Defendant (2)
Hon. John Larson – *via email*
Teal Mittelstadt, Defense Counsel – *via email*
Leta Womack, Esq. – *via email*
Board of Pardons and Parole – *via email*
MWP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division