

Sentence Review Division
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FILED
NOV 16 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-12-044
)
Plaintiff,) Deer Lodge County District Court
)
-vs-)
) Montana Third Judicial District
BRANDON KRANKOWSI,)
) **DECISION**
)
Defendant.)

On May 18, 2022, the Court found the Defendant in violation of the conditions of the sentence imposed on November 18, 2013, revoked the suspended sentence, and sentenced the Defendant to the Montana State Prison for a period of twelve (12) years, with none of those years suspended, for the offense of Count I: Sexual Intercourse Without Consent, a Felony, in violation of §45-5-503(1)(3)(a), MCA. The Defendant was not given credit for street time. The Defendant was given credit for all jail time served as a result of this revocation in the amount of 62 days in the Deer Lodge County Detention Center plus any time the Defendant spent in the Silver Bow County Detention Center.

On November 3, 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 Crossroads Correctional Center and was represented by Teal Mittelstadt, Defense Counsel. The State was represented by Matt Entrooth. The Defendant did not give 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 he understood this and stated that he 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.

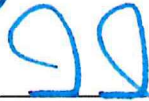
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

DATED this 15th day of November, 2022.

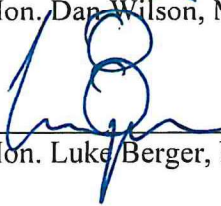
SENTENCE REVIEW DIVISION



Hon. Jessica Fehr, Chair



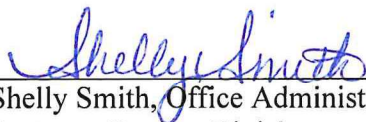
Hon. Dan Wilson, Member



Hon. Luke Berger, Member

Copies mailed or emailed this 16th day of November, 2022, to:

Clerk of District Court – *via email*
Brandon Krankowski #3013439, Defendant
Hon. Ray Dayton – *via email*
Teal Mittelstadt, Defense Counsel – *via email*
Matt Enrooth, Esq. – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division