

Sentence Review Division  
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SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA, ) Cause No. DC-21-343  
)  
Plaintiff, ) Missoula County District Court  
vs- )  
) Montana Fourth Judicial District  
MICAH RAY LOZIER, )  
) **NUNC PRO TUNC TO**  
) **CORRECT DECISION**  
Defendant. )

The Decision that was issued by the Sentence Review Division on February 13, 2023 was incorrect in that the first paragraph was noted with the incorrect sentence and the Sentence Review Hearing date was incorrect in the first sentence of the second paragraph. The sentence that was imposed on February 23, 2022 in this matter was reviewed by Sentence Review Division Judges at the Defendant’s sentence review hearing on February 3, 2023.

**NOW, THEREFORE, IT IS ORDERED ADJUDGED AND DECREED THAT** paragraph one and the first sentence in paragraph two of the Decision shall be amended to read and reflect the correct sentence as follows:


On February 23, 2022, the Defendant was sentenced as follows: Count I: Five (5) years to the Montana State Prison for the offense of Theft, over \$5,000, a Felony, in violation of §45-6-301(1), MCA Count II: 90 days to the Missoula County Detention Facility, all suspended, for the offense of Reckless Driving, a Misdemeanor, in violation of §61-8-301(1)(a), MCA; and Count III: Six (6) months to the Missoula County Detention Facility, all suspended, for the offense of Criminal Trespass to Property, a Misdemeanor, in violation of §45-6-203, MCA. Counts I, II, and III were ordered to run concurrent with each other. The Defendant was ordered to pay restitution in the amount of \$11,930.08 as follows: Wade Behrend: \$500.00 and State Farm

Insurance: \$11,430.08.

On February 3, 2023, 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").

DATED this 16 day of February, 2023.

SENTENCE REVIEW DIVISION

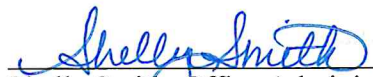


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Hon. Dan Wilson, Chair

Copies mailed or emailed this 16<sup>th</sup> day of February, 2023, to:

Clerk of District Court – *via email*  
Micha Ray Lozier #3014732, Defendant  
Hon. Leslie Halligan – *via email*  
Sadie Busch, Defense Counsel – *via email*  
Caitlin Creighton, Esq. – *via email*  
Board of Pardons and Parole – *via email*  
MSP - Records Dept. – *via email*



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Shelly Smith, Office Administrator  
Sentence Review Division