

Sentence Review Division
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FILED

NOV 15 2023

**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-32-2017-0000271-IN
) Plaintiff,)
) Missoula County District Court
-vs-) Montana Fourth Judicial District
)
DUANE PAUL LOPEZ MARCEAU,) **ORDER OF DISMISSAL**
)
)
Defendant.)

On November 2, 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"). The Defendant was not present. The Defendant was represented by David Merchant. The State was not represented.

Before hearing the application, Mr. Merchant informed the Division that the Defendant received a suspended sentence in this matter and that he is currently out on probation, which does not qualify him for a sentence review.

Therefore, based on those facts, it is the unanimous decision of the Sentence Review Division that the Application is **DISMISSED WITH PREJUDICE**.

DATED this 15th day of November, 2023.

SENTENCE REVIEW DIVISION



Hon. Dan Wilson, Chairperson

Copies mailed or emailed this 15th day of November, 2023, to:

Clerk of District Court – *via email*

Duane Paul Lopez Marceau #3016640, Defendant

Hon. John Larson – *via email*

David Merchant, Defense Counsel – *via email*

Matt Jennings, Deputy Co. Attorney – *via email*

Board of Pardons and Parole – *via email*

MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division