

FILED

MAY 01 2024

SENTENCE REVIEW DIVISION
OF THE SUPREME COURT
STATE OF MONTANA

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

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,)	Cause No. DC-24-2020-0000120-IN
)	
Plaintiff,)	Lake County District Court
)	
-vs-)	Montana Twentieth Judicial District
)	
LENNIE OLIVIA WEBSTER,)	DECISION
)	
Defendant.)	

On December 7, 2023, the Court found the Defendant violated the conditions of her sentence, revoked the deferred sentence that was imposed on February 11, 2021, and the re-deferred sentence that was imposed on April 27, 2023. The Court sentenced the Defendant to five (5) years to the Montana Women’s Prison for the offense of Count I: Criminal Possession with Intent to Distribute, a Felony, in violation of §45-9-103, MCA. The Court further recommended chemical dependency treatment. The Court also recommended the original conditions be reimposed should the Parole Board consider any sort of early release.

On April 5, 2024, 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 Montana Women’s Prison and was represented by Teal Mittelstadt, Defense Counsel. The State was not represented. 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-

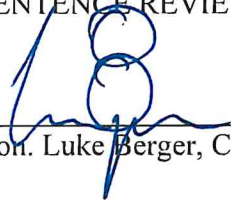
904(3), MCA).

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 30th day of April, 2024.

SENTENCE REVIEW DIVISION



Hon. Luke Berger, Chair



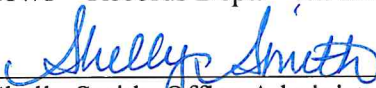
Hon. Matthew Cuffe, Member



Hon. Jessica Fehr, Member

Copies mailed or emailed this 1st day of May, 2024, to:

Clerk of District Court – *via email*
Lennie Olivia Webster #3029995, Defendant
Teal Mittelstadt, Defense Counsel – *via email*
State Office of the Public Defender - *via email*
James Lapotka, County Attorney – *via email*
Board of Pardons and Parole – *via email*
MWP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division