

FILED

FEB 12 2024

**SENTENCE REVIEW DIVISION
OF THE SUPREME COURT
STATE OF MONTANA**

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

STATE OF MONTANA,)	Cause No. DC-47-2019-00000191-IN
)	
Plaintiff,)	Silver Bow County District Court
-vs-)	
)	Montana Second Judicial District
WILLIAM LEE DUNMIRE,)	
)	DECISION
)	
Defendant.)	

On June 8, 2023, the Court found the Defendant violated the conditions of his probation, revoked his suspended sentence, and sentenced him as follows:

Count I: Ten (10) years to Montana State Prison for the offense of Theft by Deception (Common Scheme), a Felony, in violation of §45-6-301(2)(a), MCA 2017.

Count II: Five (5) years to the Montana State Prison for the offense of Forgery, a Felony, in violation of §45-6-325, MCA 2017.

The sentences in Counts I and II were ordered to run consecutively to each other for a total sentence of fifteen (15) years with none suspended. The Defendant was given credit for four hundred seventy-nine (479) days of jail time served as of June 8, 2023. The Court further ordered that all prior conditions, including the financial obligations of the Judgment dated September 24, 2020, be reimposed.

On February 1, 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 State Prison and was represented by Natasha Hammack, Defense Counsel. The State was not represented. Mary Stone, victim of the defendant, was present but did not provide a statement. The Defendant gave 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 9th day of February, 2024.


SENTENCE REVIEW DIVISION



Hon. Luke Berger, Chair



Hon. Jessica Fehr, Member



Hon. Matthew Cuffe, Member

Copies mailed or emailed this 12th day of February, 2024, to:

Clerk of District Court – *via email*
William Lee Dunmire #3007503, Defendant
Hon. Kurt Krueger – *via email*
Natasha Hammack, Defense Counsel – *via email*
Ann Shea, Deputy Co. Attorney – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division