

**FILED**

**MAY 22 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](mailto:shellysmith@mt.gov)

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,	)	Cause No. DC-56-2023-0000131-IN
	)	
Plaintiff,	)	Yellowstone County District Court
	)	Montana Thirteenth Judicial District
-vs-	)	
	)	<b>ORDER TO VACATE</b>
ROGER RICHARD KNUCKLES,	)	
	)	
Defendant.	)	

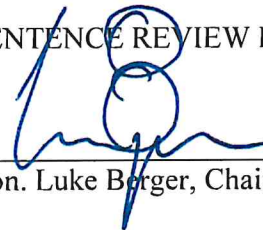
On May 2, 2024, Defense Counsel, David Merchant, appeared via Zoom videoconference before the Sentence Review Division of the Montana Supreme Court at the time set for the Defendant’s hearing to review his sentence. The Defendant was not present.

At the outset of the hearing, Defense Counsel informed the Division that the Defendant signed a Waiver, and did not wish to appear for his hearing. The Division informed Mr. Merchant that the Waiver had not been received by the Sentence Review Division.

Therefore, it is the unanimous decision of the Sentence Review Division that the hearing is tentatively vacated.

DATED this 22nd day of May, 2024.

SENTENCE REVIEW DIVISION



Hon. Luke Berger, Chair

CERTIFICATE OF SERVICE

I hereby certify that I served a true copy of the foregoing **Order to Vacate** by depositing the same in the U.S. Mail, postage prepaid, or via electronic service this 22<sup>nd</sup> day of May, 2024 to the following:

Clerk of District Court  
Yellowstone County  
P.O. Box 35030  
Billings, MT 59107  
*Via email*

John Ryan, Deputy Co. Attorney  
Yellowstone County Attorney's Office  
217 North 27th Street  
Billings, MT 59101  
*Via email*

David A. Merchant, II  
Attorney at Law  
P.O. Box 50336  
Billings, MT 59105  
*Via email*

Hon. Jessica Fehr  
13th Judicial District  
P.O. Box 35029  
Billings, MT 59107  
*Via email*

Office of State Public Defender  
502 S. 19th Ave., Ste 211  
Bozeman, MT 59718  
*Via email*

Montana State Prison  
Records Department  
700 Conley Lake Road  
Deer Lodge, MT 59722  
*Via email*

Roger Richard Knuckles #3035519  
Montana State Prison  
400 Conley Lake Road  
Deer Lodge, MT 59722

  
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Shelly Smith, Office Administrator  
SENTENCE REVIEW DIVISION