

Sentence Review Division
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FILED

DEC 05 2024

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-47-2023-0000266-IN
)
Plaintiff,) Silver Bow County District Court
-vs-)
) Montana Second Judicial District
SUNNY JOSHUA ST. JOHN,)
) **DECISION**
)
Defendant.)

On June 20, 2024, the Defendant was sentenced as follows:

Count I: Five (5) years commitment to the Department of Corrections for the offense of Criminal Possession of Dangerous Drugs, a Felony, in violation of §45-9-102, MCA.

Count III: Six (6) months in the County Jail, suspended, for the offense of Criminal Possession of Drug Paraphernalia, 1st Offense, a Misdemeanor, in violation of §45-10-103, MCA.

The sentences in Counts I and III were ordered to run concurrently with each other and concurrently to any sentence to which the Defendant was currently subject. The Court dismissed Count II, PFMA. The Defendant was given credit for two hundred sixty (260) days of jail time served in the matter, as of June 20, 2024.

On November 14, 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 NEXUS Facility and was represented by Teal Mittelstadt, Defense Counsel. The State was not represented.

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. The Defendant gave a statement.

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.

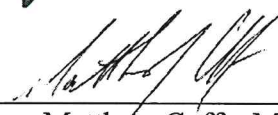
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

DATED this 29 day of November, 2024.

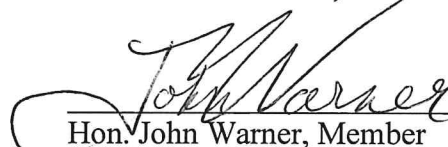
SENTENCE REVIEW DIVISION



Hon. Jessica Fehr, Chair




Hon. Matthew Cuffe, Member



Hon. John Warner, Member

Copies mailed or emailed this 5th day of ~~November~~ ^{December}, 2024, to:

Clerk of District Court – *via email*
Sunny Joshua St. John #38458, Defendant
Hon. Kurt Krueger – *via email*
Teal Mittelstadt, Defense Counsel – *via email*
Ellen Donohue, County Attorney – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division