

Sentence Review Division  
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**FILED**  
**02/25/2025**  
SENTENCE REVIEW DIVISION  
OF THE SUPREME COURT  
OF THE STATE OF MONTANA

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA, ) Cause No. DC-7-2018-0000795  
)  
Plaintiff, ) Cascade County District Court  
)  
-vs- ) Montana Eighth Judicial District  
)  
PATRICK LAWRENCE HENDERSON, ) **DECISION**  
)  
Defendant. )

On August 5, 2024, the Court found the Defendant violated the conditions of his suspended sentence, revoked the suspended sentence, and sentenced him to fifteen (15) years to the Department of Corrections, with none suspended, for the offense of Count I: Burglary, a Felony, in violation of §45-6-204(1)(b), MCA. The sentence was ordered to run concurrently with any other sentence, and placement in an appropriate program for treatment of mental health and chemical dependency. The Defendant was given credit for 194 days of time served, and credit for 9 days of street time. The Court ordered that any suspended portions of sentence(s) be conditioned upon the conditions set forth in the Pre-Sentence Investigation and the original Sentencing Order and Judgment.

On February 6, 2025, 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 Cascade County Detention Facility and was represented by Tyler Dugger, 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 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 25th day of February, 2025.

SENTENCE REVIEW DIVISION

  
\_\_\_\_\_  
Hon. Jessica Fehr, Vice-Chair

  
\_\_\_\_\_  
Hon. Matthew Cuffe, Member

  
\_\_\_\_\_  
Hon. Christopher Abbott, Member

Copies mailed or emailed this 25th day of February, 2025, to:

Clerk of District Court – *via email*  
Patrick Lawrence Henderson #43500, Defendant  
Hon. Elizabeth Best – *via email*  
Tyler Dugger, Defense Counsel – *via email*  
Ryan Ball, Deputy Co. Attorney – *via email*  
Board of Pardons and Parole – *via email*  
MSP - Records Dept. – *via email*

  
\_\_\_\_\_  
Shelly Smith, Office Administrator  
Sentence Review Division