

Sentence Review Division
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FILED

FEB 08 2021

**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-12-001
)	
Plaintiff,)	Park County District Court
)	
-vs-)	Montana Sixth Judicial District
)	
JEREMY JOHN BRAULICK,)	DECISION
)	
Defendant.)	

On January 4, 2013, the Defendant was sentenced as follows:

Count I: An eighty (80) year commitment to the Montana State Prison, for the offense of Attempted Deliberate Homicide, a Felony, in violation of §§§ 45-4-103, 45-5-102, and 46-18-221, MCA (2011), with a consecutive ten (10) year commitment to the Montana State Prison for the use of a dangerous weapon in the commission of the offense.

Count II: An eighty (80) year commitment to the Montana State Prison, for the offense of Attempted Deliberate Homicide, a Felony, in violation of §§§ 45-4-103, 45-5-102, and 46-18-221, MCA (2011), with a consecutive ten (10) year commitment to the Montana State Prison for the use of a dangerous weapon in the commission of the offense.

The Court ordered the sentences for Count I and Count II to run concurrently with each other.

The Court ordered the Defendant ineligible for parole or for participating in a supervised release program for the first forty (40) years as such a restriction is necessary for the protection of the public.

The Court granted the Defendant credit for 375 days spent incarcerated while awaiting sentencing.

On February 4, 2021, 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 David Maldonado, Defense Counsel. The State was represented by Brett Linneweber, Yellowstone County Deputy Attorney, and Kendra Lassiter, Park County Attorney. 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 8th day of February, 2021.


SENTENCE REVIEW DIVISION



Hon., Luke Berger Chairperson



Hon. Jessica Fehr, Member



Hon. Dan Wilson, Member

Copies mailed or emailed this 9th day of February, 2021, to:

Clerk of District Court – *via email*
Jeremy John Braulick #3010968, Defendant (2)
Hon. Brenda Gilbert – *via email*
David Maldonado, Defense Counsel – *via email*
Brett Linneweber, Esq. – *via email*
Kendra Lassiter, Esq. – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division