

Sentence Review Division
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FILED
08/14/2025
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-25-2024-0000214
)	
Plaintiff,)	Lewis & Clark County District Court
-vs-)	
)	Montana First Judicial District
GEORGE ANTHONY MAGRATH,)	
)	DECISION
)	
Defendant.)	

On January 8, 2025, during the sentencing hearing, the Defendant withdrew his guilty plea as to Count V and pled guilty to Counts I and IV, which the Court accepted. The Defendant was sentenced as follows:

Count I: Twenty (20) years to the Montana State Prison, none suspended, for the offense of Sexual Intercourse Without Consent, a Felony in violation of §45-5-503, MCA, with the Court's recommendation that the Defendant get re-evaluated prior to parole and that the parole board follow all treatment recommendations.

Count IV: Five (5) years to the Montana State Prison, all suspended, for the offense of Stalking (1st Offense), a Felony, in violation of §45-5-220, MCA.

The Sentences imposed for Count IV to run consecutively to the sentence imposed for Count I. The Defendant was given credit for the following date ranges: May 16, 2024 – January 8, 2025. The Court ordered the Defendant, pursuant to §46-23-501, et. seq., MCA, and register as a Sexual Offender. Pursuant to §46-23-509, the Court designated the Defendant a Level III Sexual Offender as a sexually violent offender. The Defendant shall not knowingly have any contact, oral, written, electronic or through a third party, with the victim and/or the victim's immediate family.

On August 7, 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 Montana State Prison and was represented by Tyler Dugger, Defense Counsel. The State was represented by Dan Baris. 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.

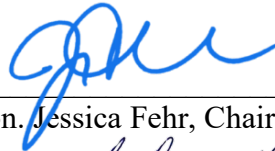
Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

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 14th day of August, 2025.

SENTENCE REVIEW DIVISION



Hon. Jessica Fehr, Chair



Hon. Matthew Cuffe, Member



Hon. Christopher Abbott, Member

Copies mailed or emailed this 14th day of August, 2025, to:

Clerk of District Court – *via email*

George Anthony Magrath #3019654, Defendant

Hon. Michael F. McMahon – *via email*

Tyler Dugger, Defense Counsel – *via email*

Rachel Raymond, Esq. – *via email*

Board of Pardons and Parole – *via email*

MSP - Records Dept. – *via email*



Dia C. Lang, Office Administrator
Sentence Review Division