

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-7-2024-0000497
)	
Plaintiff,)	Cascade County District Court
)	
-vs-)	Montana Eighth Judicial District
)	
JAMES ALAN ODEGARD,)	
)	DECISION
)	
Defendant.)	

On March 12, 2025, the Defendant was sentenced to five (5) years commitment to the Department of Corrections, with three (3) years suspended, for the offense of Count I: Assault with Weapon, a Felony, in violation of §45-5-213(1)(a), MCA. The Court recommended placement in a secured Department of Corrections chemical dependency treatment facility to be followed by pre-release. The Defendant was given 129 days for time already served. The Defendant shall not knowingly have any contact, oral, written, electronic or through a third party, with the victim (s).

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 David Merchant, Defense Counsel. The State was not represented. 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*
James Alan Odegard #3038485, Defendant
Hon. David J. Grubich – *via email*
David Merchant Defense Counsel – *via email*
Kory V. Larsen, Deputy Co. Attorney – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Dia C. Lang, Office Administrator
Sentence Review Division