

Sentence Review Division
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FILED
08/12/2025
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-56-2017-0001183
)
Plaintiff,) Yellowstone County District Court
-vs-)
) Montana Thirteenth Judicial District
DANIEL WAYNE LLOYD,)
) **DECISION**
)
Defendant.)

On May 11, 2018, the Defendant was sentenced in Counts I and III per the plea agreement. Defendant was given credit for time spent in pre-trial incarceration as follows: October 6, 2017 through November 27, 2017; and February 28, 2018 through May 11, 2018. For Count III, the Defendant was ordered to pay a fine of Five Hundred Dollars (\$500.00) to run concurrently with Count I. The Defendant was further ordered to pay restitution in the total amount of One Hundred and Three Dollars and Eighty-Nine Cents (\$103.89). The Court granted the State’s motion to dismiss Counts II and IV.

On September 12, 2023, the Court found the Defendant violated the terms and conditions of his sentence, revoked the sentence, and re-sentenced him as follows:
Count I: Four (4) years, ten (10) months, Eight (8) days, all suspended. In all other respects, the previous Orders, conditions, and reasons entered on May 11, 2018, remained unchanged and were recommended.

The Court found the Defendant was *not* entitled to receive credit elapsed time while not incarcerated pursuant to §46-18-203(7)(b), MCA. Denial was based on Defendant’s failure to comply with the terms and conditions of the sentence under supervision. The Court further found that the Defendant *was* entitled to receive credit for pre-trial incarceration/detention time served as follows: April 22, 2023 through July 13, 2023.

On April 7, 2025, the Court found the Defendant violated the terms and conditions of his sentence, revoked the sentence, and re-sentenced in Count I: Four (4) years, Two Hundred Twenty-Five days commitment to the Department of Corrections pursuant to §46-18-203, MCA, for the offense of Criminal Endangerment, a Felony, in violation of §45-5-207, MCA.

The Court recommended that the Defendant be screened for any and all mental health and substance abuse treatment programs and the Pre-Release Program and upon acceptance, follow all requirements and provisions. If not accepted, Defendant would be placed at a Department of Corrections facility at the discretion of the department. In all other respects, the previous Orders,

conditions, and reasons of the Court entered on May 11, 2018, remained unchanged and were recommended.

The Court found that the Defendant was entitled to receive credit for elapsed time while not incarcerated pursuant to § 46-18-203(7)(b), MCA, as follows: September 12, 2022, through November 3, 2023. The Court further found that the Defendant was also entitled to receive credit for pre-trial incarceration/detention time served as follows: July 22, 2024, through August 2, 2024.

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 Sarah Kottke, Defense Counsel. The State was represented by Autumn Irish. 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 12th day of August, 2025.

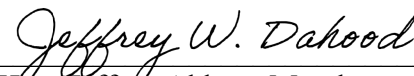
SENTENCE REVIEW DIVISION



Hon. Matthew Cuffe, Chair



Hon. Christopher Abbott, Member



Hon. Jeffrey Abbott, Member

Copies mailed or emailed this 12th day of August, 2025, to:

Clerk of District Court – *via email*

Daniel Wayne Lloyd #3016528, Defendant

Hon. Jessica Fehr – *via email*

Teal Mittelstadt, Defense Counsel – *via email*

Autumn Thompson-Irish, 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