

Sentence Review Division
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FILED
08/18/2025
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-2-2021-0000070
)	
Plaintiff,)	Big Horn County District Court
)	
-vs-)	Montana Twenty-Second Judicial District
)	
TODD BRADLEY CHAVEZ,)	DECISION
)	
Defendant.)	

On November 7, 2023, the Court found that the Defendant violated the terms and conditions of his previously imposed imposition of sentence, revoked the deferred imposition of sentence, and resentence him to five (5) years commitment to the Department of Corrections, none suspended, for the offense in Count I: Theft, Value Over \$5,000.00, a Felony, in violation of §45-6-301, MCA. The Defendant was given one hundred thirty-six (136) days credit for jail time served, and one hundred thirty-nine (139) days credit for street time served. The previous sentence conditions were re-imposed.

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 not represented. The defendant did not give 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. The Defendant did not give a statement.

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 concludes that the sentence imposed by the District Court is clearly excessive because the judgment and available record do not justify a sentence in excess of the sentence recommended by the probation officer in the report of violation.

Therefore, it is the unanimous decision of the Division that the sentence shall be **AMENDED** to 3 years to the Department of Corrections sentence with a recommendation for substance abuse treatment.

Pursuant to 46-18-904(3), MCA, the District Court shall resentence the Defendant in accordance with the Sentence Review Division's Decision and file an Amended Judgment.

DATED this 18th day of August, 2025.


SENTENCE REVIEW DIVISION



Hon. Jessica Fehr, Chair




Hon. Matthew Cuffe, Member



Hon. Christopher Abbott, Member

Copies mailed or emailed this 18th day of August, 2025, to:

Clerk of District Court – *via email*
Todd Bradley Chavez #3033196, Defendant
Hon. Matthew Wald – *via email*
Tyler Dugger, Defense Counsel – *via email*
David Hopkins Sibley – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*



Dia C. Lang, Office Administrator
Sentence Review Division