

Sentence Review Division
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FILED
11/20/2025
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-32-2008-0000039
)	
Plaintiff, -vs-)	Missoula County District Court
)	
)	Montana Fourth Judicial District
BRIAN L. HAWK,)	
)	AMENDED DECISION
Defendant.)	
)	

On November 20, 2024, the Court found the Defendant in violation of the conditions of the last Judgment entered by the Court, revoked his sentence, and sentenced him as follows: Count I: Five (5) years commitment to the Department of Corrections for the offense of Criminal Production or Manufacture of Dangerous Drugs, a Felony, in violation of §45-9-110, MCA. The Court recommended the Defendant participate in Pre-Release. Count II: Five (5) years commitment to the Department of Corrections for the offense of Criminal Possession with Intent to Distribute, a Felony, in violation of §45-9-103, MCA, to run concurrent with Count I. The Defendant was given credit for time served in the amount of three (3) years. The Court recommended the Defendant participate in pre-release, get a mental health evaluation and follow any recommendations made in the mental health evaluation. The Court encouraged the Department to provide mental health treatment to the Defendant. The terms and conditions of the Judgment were the same as those contained in the Judgment filed with the Court on November 14, 2008.

On November 6, 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 Crossroads Correctional Center and was represented by Penelope Strong, 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.

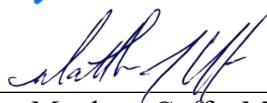
Therefore, it is the unanimous decision of the Division that the sentence is

AFFIRMED. DATED this 21st day of November, 2025.

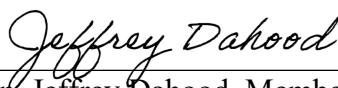
SENTENCE REVIEW DIVISION



Hon. Jessica Fehr, Chair



Hon. Matthew Cuffe, Member



Hon. Jeffrey Dahood, Member

Copies mailed or emailed this 21st day of November, 2025, to:

Clerk of District Court – *via email*

Brian Llewellyn Hawk #41341, Defendant


Hon. Leslie Halligan – *via email*

Penelope Strong, Defense Counsel – *via email*

Chance Carter, 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