

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 Nos. DC-47-2023-0000324  
                          )  
                          Plaintiff, ) Butte-Silver Bow County District Court  
-vs-                    )  
                          ) Montana Second Judicial District  
BRANDON CALVIN KNOTH, )  
                          )  
                          ) **DECISION**  
                          )  
Defendant. )

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On April 28, 2025, the Defendant was sentenced as follows: Count I: Twenty (20) years to the Montana State Prison for the offense of Criminal Possession with Intent to Distribute (Fentanyl), a Felony, in violation of §45-9-103, MCA (2023). Count III: Ten (10) years to the Montana State Prison, all suspended, for the offense of Criminal Possession with Intent to Distribute (Methamphetamine), a Felony, in violation of §45-9-103, MCA (2023), to run **consecutively** to Count I. Count IV: Twenty (20) years to the Montana State Prison, with ten (10) years suspended, for the offense of Criminal Possession with Intent to Distribute (Heroin), a Felony, in violation of §45-9-103, MCA (2023), to run **concurrently** with Counts I and III. Therefore, the net sentence imposed was to be thirty (30) years with ten (10) years suspended. The Court ordered that the Defendant be given credit for 538 days of pretrial time served in the matter, and that the \$5,665.00 seized forfeited to the State. The Court further ordered that Counts II, V and VI be dismissed.

On November 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 Rufus Peace, Defense Counsel. The State was represented by Ann Shea. The Defendant did 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.

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 19 day of November, 2025.

SENTENCE REVIEW DIVISION



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Hon. Jessica Fehr, Chair



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Hon. Matthew Cuffe, Member



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Hon. Jeffrey Dahood, Member

Copies mailed or emailed this \_\_\_\_\_ day of November, 2025, to:

Clerk of District Court – *via email*  
Brandon Calvin Knoth #3039053, Defendant  
Hon. Robert J. Whelan – *via email*  
Rufus Peace, Defense Counsel – *via email*  
Ann M. Shea, Deputy Co. Attorney – *via email*  
Board of Pardons and Parole – *via email*  
MSP - Records Dept. – *via email*



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Dia C. Lang, Office Administrator  
Sentence Review Division