

Sentence Review Division  
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**FILED**  
**2/25/2026**  
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-24-2020-0000178  
)  
Plaintiff, ) Lake County District Court  
)  
-vs- ) Montana Twentieth Judicial District  
)  
BUCKLEYCOLE RANDALL )  
ACKERMAN, ) **DECISION**  
)  
)  
Defendant.

On May 28, 2025, the Court found the Defendant violated the conditions of his suspended sentence, revoked the suspended sentence, and sentenced him to three (3) years and nine (9) months commitment to the Department of Corrections for the offense of Count I: Driving Under the Influence of Alcohol or Drugs, Fourth or Subsequent Offense, a Felony, in violation of §61-8-401, MCA, with none of that time suspended. The Defendant was given credit for time served based on the following:

- Suspended sentence began on January 23, 2023 with his first violation was March 28, 2023, and received 64 days of street time during this period. From March 28, 2023 to July 6, 2023, Defendant was on intensive supervision as a sanction for his violation. The Court found that he should not receive street time credit for the period. Subsequently, the Defendant did not have any violations from July 7, 2023 to July 5, 2023 and should receive 361 days of street time for the period. Total: 425 days of street time
- On July 5, 2024, Defendant was arrested for multiple felonies arising out of an incident in Missoula County and had been in custody since this date.
- Defendant was given credit for time served for 326 days on the instant petition to revoke.
- The Defendant was given credit for time served for 21 days on the original Judgment.

The total time served credit that the Defendant received was 772 days (425 + 326 + 21). The Sentence to run consecutively to Missoula County Cause No. DC-24-428. The Court further recommended that any portion of the sentence where the Defendant was conditionally discharged be conditioned upon the conditions as set forth in the Pre-Sentence Investigation.

On February 6, 2026, 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 Shannon Sweeney, Defense Counsel. The State was not represented. 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 26th day of February 2026.

SENTENCE REVIEW DIVISION



Hon. Matthew Cuffe, Chair



Hon. Christopher Abbott, Member



Hon. Jeffrey Dahood, Member

Copies mailed or emailed this 26th day of February 2026, to:

Clerk of District Court – *via email*

Buckleycole Randall Ackerman #3013079, Defendant

Hon. Molly Owen – *via email*

Shannon Sweeney, Defense Counsel – *via email*

James Lapotka, County 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