

Sentence Review Division  
301 S. Park Ave., Suite 328  
P.O. Box 203005  
Helena, MT 59620-3005  
Phone: (406) 841-2976  
Email: [srdapplication@mt.gov](mailto:srdapplication@mt.gov)

**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-32-2022-0000605  
)  
Plaintiff, ) Missoula County District Court  
)  
-vs- )  
) Montana Fourth Judicial District  
BILLY JOE ROGERS, )  
) **DECISION**  
)  
Defendant. )

---

On October 10, 2023, the Defendant was sentenced as follows: Count II: Five (5) years to the Montana State Prison for the offense of Partner or Family Member Assault, 3<sup>rd</sup> or Subsequent Offense, a Felony, in violation of §45-5-206[3<sup>rd</sup>+], MCA. Count III: Six (6) months to the Missoula County Detention Center for the offense of Assault – Bodily Injury, a Misdemeanor, in violation of §45-5-201, MCA. Counts II and III were ordered to run concurrently with each other and consecutively to Mineral Co. Cause No. DC-16-001. The Defendant was given credit against the sentence for time served in the amount of three hundred seventy-one (371) days. The Court waived all financial obligations.

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 Montana State Prison and was represented by Tyler Dugger, 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

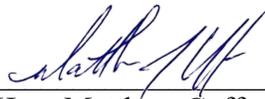
not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

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*  
Billy Joe Rogers #37708, Defendant  
Hon. Jason Marks – *via email*  
Tyler Dugger, Defense Counsel – *via email*  
Andrea Haney, 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