

Sentence Review Division  
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SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

|                      |   |                                   |
|----------------------|---|-----------------------------------|
| STATE OF MONTANA,    | ) | Cause No. DC-42-2022-0000092      |
|                      | ) |                                   |
| Plaintiff,           | ) | Richland County District Court    |
|                      | ) |                                   |
|                      | ) | Montana Seventh Judicial District |
| -vs-                 | ) |                                   |
|                      | ) | <b>DECISION</b>                   |
| RAYMOND ALLEN BERRY, | ) |                                   |
|                      | ) |                                   |

Defendant.

On June 26, 2023, the Defendant was sentenced to ten (10) years commitment to the Department of Corrections, with all but five (5) years suspended, for the offense of Count I: Parenting Interference, a Felony, in violation of §45-5-634, MCA. The Defendant was ordered to pay restitution to Autumn Jorstad in the amount of \$4,760.21. The Defendant was given credit for time served in the amount of 134 days. On October 30, 2025, the Court filed an Amended Judgment and Sentence to strike Condition 13(d) in its entirety and the sentence in Condition 13(a) that required the Defendant to pay supervision fees while he was incarcerated.

On August 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 Great Falls and was represented by Tyler Dugger, Defense Counsel. The State was represented by Charity McLarty. The Defendant did provide 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 31st day of August, 2026.

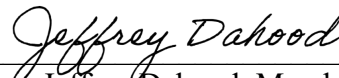
SENTENCE REVIEW DIVISION



Hon. Matthew Cuffe, Chair



Hon. Christopher Abbott, Member



Hon. Jeffrey Dahood, Member

Copies mailed or emailed this 31st day of August, 2026, to:

Clerk of District Court – *via email*  
Raymond Allen Berry #3034799, Defendant  
Hon. Scott Herring – *via email*  
Tyler Dugger, Defense Counsel – *via email*  
Charity McLarty, County Attorney – *via email*  
Board of Pardons and Parole – *via email*  
Montana State Prison - Records Dept. – *via email*



Dia C. Lang, Office Administrator  
Sentence Review Division