

Sentence Review Division  
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**FILED**  
**5/27/2026**  
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-56-2023-0000879  
)  
Plaintiff, ) Yellowstone County District Court  
)  
) Montana Thirteenth Judicial District  
-vs- )  
) **DECISION**  
RUSSELL ARTHUR DWYER, )  
)  
Defendant. )

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On June 27, 2025, the Defendant was sentenced twenty (20) year sentence to Montana State Prison for the offense of Count I: Sexual Abuse of Children 16 Years or Younger, a Felony, in violation of §45-5-625(1)(c), MCA, with ten (10) years suspended. The Court ordered the Defendant designated as a Level I Sexual Offender under §46-23-509(3)(b), MCA. The Court further ordered that the Defendant complete sex offender treatment once released from prison and back in the community. Defendant received credit for time spent in pre-trial incarceration as follows: July 14, 2023 through July 18, 2023. The Court granted the State’s motion to dismiss Count II.

On May 8, 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 James Reavis. The State was not represented. The Defendant did not 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 27th day of May, 2026.

SENTENCE REVIEW DIVISION



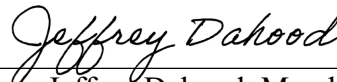
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Hon. Matthew Cuffe, Chair



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Hon. Christopher Abbott, Member



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Hon. Jeffrey Dahood, Member

Copies mailed or emailed this 27th day of May, 2026, to:

Clerk of District Court – *via email*  
Russell Arthur Dwyer #3037934, Defendant  
Hon. Ashley Harada – *via email*  
James Reavis  
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John Ryan, Senior Deputy County Attorney – *via email*  
Board of Pardons and Parole – *via email*  
Montana State Prison - Records Dept. – *via email*



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Dia C. Lang, Office Administrator  
Sentence Review Division