

Sentence Review Division
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FILED
5/12/2026
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-27-2024-0000121
)
Plaintiff,) Lincoln County District Court
)
) Montana Nineteenth Judicial District
-vs-)
) **DECISION**
ERIK LYNN MCQUEEN,)
)
)

Defendant.

On June 30, 2025, the Defendant was sentenced to five (5) years to the Montana State Prison for the offense of Count I: Partner or Family Member Assault, Third or Subsequent Offense, a Felony, in violation of §45-5-206, MCA. The Defendant received 190 days’ credit for time served. The Court ordered the Defendant to pay a fine of \$1,000.00.

On May 7, 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 Rufus Peace

Attorney at Law. The State was not represented. 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.

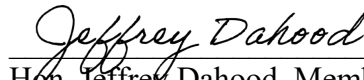
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

DATED this 12th day of May, 2026.

SENTENCE REVIEW DIVISION



Hon. Christopher Abbott, Acting Chair



Hon. Jeffrey Dahood, Member



Hon. Jessica Fehr, Member

Copies mailed or emailed this 12th day of May, 2026, to:

Clerk of District Court – *via email*
Erik Lynn McQueen #2104645, Defendant
Hon. Matthew Cuffe – *via email*
Rufus Peace Defense Counsel – *via email*
Marcia Boris, 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