

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

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,	)	Cause No. DC-41-2024-0000184
	)	
Plaintiff,	)	Ravalli County District Court
	)	
	)	Montana Twenty-First Judicial District
-vs-	)	
	)	DECISION
DUSTY ALAN PAULEY,	)	
	)	

Defendant.

On December 18, 2025, the Defendant was sentenced to Second Amended Charge I, five (5) years at a state prison to be designated by the Department of Corrections for the offense of Criminal Possession of Dangerous Drugs, a Felony, in violation of §45-9-102, MCA. Defendant received credit for 414 days already served. The sentence to run concurrently with the sentence imposed in Cause No. DC-24-0189. On December 18, 2025, the Defendant was sentenced as follows: Charge I: Forty (40) years commitment to a prison designated by the Department of Corrections, twenty (20) years suspended, for the offense of Sexual Abuse of Children, a Felony, in violation of §45-5-625(1)(c), MCA. Sentence to run concurrently with the sentence imposed in DC-24-0184. The Court ordered a parole restriction of twenty (20) years. Charge II: Ten (10) years commitment to a prison designated by the Department of Corrections for the offense of Tampering with a Witness, a Felony, in violation of §45-7-206. MCA. The sentence shall run concurrently with the sentence in Charge I. Charge III: Six (6) months to the Ravalli County Detention Center for the offense of Unlawful Transactions with Children, a Misdemeanor, in violation of §45-6-623(1)(d), MCA. The sentence shall run concurrently with the sentences in Charges I and II. Charge IV: Ten (10) years commitment to a prison designated by the Department of Corrections for the offense of Sexual Abuse of Children, 34 Counts, Felonies, in violation of §§45-5-625(1)(e) and (2)(c), MCA. The sentence shall run concurrently with the sentences in Charges I and III. The Defendant shall enter and successfully complete sexual offender treatment/programming approved by the Department of Corrections. The Court designated the Defendant as a Level II Sexual Offender based on the psychosexual evaluation and other pertinent documentation, pursuant to

§46-23-509, MCA. The Defendant was subject to the registration requirements in §46-23-501 et. seq., e.g. the “Sexual or Violent Offender Registration Act.” The Defendant received credit for 414 days already served.

On August 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 Sarah Kottke, Defense Counsel. The State was represented by Angela Auch. 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.

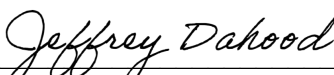
SENTENCE REVIEW DIVISION



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*

Dusty Alan Pauley #45006, Defendant

Hon. Jennifer Lint – *via email*

Sarah Kottke, Esq., Defense Counsel – *via email*

David Lakin, Deputy Co. 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