

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-39-2021-0000022
)
Plaintiff,) Powell County District Court
)
) Montana Third Judicial District
-vs-)
) **DECISION**
CHARLES DUSTIN RICKETT,)
)
Defendant.)

On July 12, 2022, the Defendant was sentenced to twenty-five (25) years commitment to a prison selected by the Department of Corrections, to run concurrent with Defendant’s underlying sentence, for the offense of Count VIII: Criminal Distribution of Dangerous Drugs, a Felony, in violation of §45-9-101, MCA. The Defendant was not given any credit for time served, as he was incarcerated and serving time on an underlying sentence. The Court further ordered that the Defendant be permitted to serve the sentence in another state through interstate compact agreement. The Court dismissed Counts IX – XI.

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 New Mexico Correctional Facility and was represented by David A. Merchant, II. The State was represented by Patrick Moody. 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 commends Mr. Rickett for taking genuine accountability for his offense and his impressive efforts at rehabilitation since sentencing, demonstrating a sincere effort to improve himself and make amends for his crime. However, these actions all occurred after sentencing and cannot be considered by the Division. As such, 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



Hon. Matthew Cuffe, Chair



Hon. Christopher Abbott, Member



Hon. Jessica Fehr, Member

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

Clerk of District Court – *via email*
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Dia C. Lang, Office Administrator
Sentence Review Division