

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

STATE OF MONTANA,	) Cause Nos. DC-16-2024-0000451
	) DC-16-2025-0322, DC-16-2024-0574,
Plaintiff,	) and DC-16-2023-0620
	)
	) Gallatin County District Court
-vs-	)
	) Montana Eighteenth Judicial District
TED GORDON STEWART,	)
	) DECISION

Defendant.

On October 30, 2025, the Defendant was sentenced to four (4) years commitment to the Department of Corrections for the offense of Count I: Criminal Possession of Dangerous Drugs with Intent to Distribute, a Felony, in violation of §45-9-103, MCA. The Court recommended placement in chemical dependency treatment followed by re-entry. The sentence was ordered to run consecutively with the sentences imposed in Gallatin Co. Cause No. DC-25-0574, DC-23-0620 and DC-25-322. The Defendant received credit for one hundred thirty-three (133) days previously served. The Court granted the State's Motion to Dismiss Count II, Use or Possession of Property Subject to Criminal Forfeiture. On October 30, 2025, the Defendant was sentenced to two (2) years commitment to the Department of Corrections for the offense of Count I: Theft, a Felony, in violation of §45-6-301, MCA. The Court recommended placement in chemical dependency treatment followed by re-entry. The sentence was ordered to run consecutively with the sentences imposed in Gallatin Co. Cause No. DC-25-322, DC-24-574 and DC-23-620. The Defendant received credit for twenty-nine (29) days previously served. On October 30, 2025, the Defendant was sentenced to two (2) years commitment to the Department of Corrections for the offense of Count II: Criminal Possession of Dangerous Drugs, a Felony, in violation of §45-9-102(1), MCA. The Court recommended placement in chemical dependency treatment followed by re-entry. The sentence was ordered to run consecutively with the sentences imposed in Gallatin Co. Cause No. DC-25-0322, DC-24-0451 and DC-23-0620. The Defendant received credit for one hundred ninety-eight (198) days previously served. The Court granted the State's Motion to Dismiss Count I. On October 30, 2025, the Defendant was sentenced to two (2) years commitment to the Department of Corrections for the offense of Count II: Tampering with or Fabricating

Physical Evidence, a Felony, in violation of §45-7-207(1)(a), MCA. The Court recommended placement in chemical dependency treatment followed by re-entry. The sentence was ordered to run consecutively with the sentences imposed in Gallatin Co. Cause No. DC-25-0574, DC-24-0451 and DC-23-0620. The Defendant received credit for one hundred seventy (170) days previously served. The Court granted the State's Motion to Dismiss Counts I and III.

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 the Start Program and was represented by Tyler Dugger, Defense Counsel. 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 31st day of August, 2026.

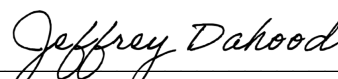
SENTENCE REVIEW DIVISION



Hon. Matthew Cuffe, Chair



Hon. Christopher Abbott, Member



Hon. Jeffrey Dahood, Member

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

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Dia C. Lang, Office Administrator
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