

Sentence Review Division
301 S. Park, Suite 328
P.O. Box 203005
Helena, MT 59620-3005
Phone: (406) 841-2976
Email: shellysmith@mt.gov

FILED

APR 28 2020

**SENTENCE REVIEW DIVISION
OF THE SUPREME COURT
STATE OF MONTANA**

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,)	Cause No. DC-18-200B
)	
Plaintiff,)	Flathead County District Court
)	
-vs-)	Montana Eleventh Judicial District
)	
JULIA MARIA STINSON,)	DECISION
)	
Defendant.)	

On September 19, 2019, the Defendant was sentenced to a commitment to the Department of Corrections for a period of three (3) years for the offense of Theft, a felony, in violation of §45-6-301, MCA. The Defendant was given twenty-seven (27) days credit for time served while in custody.

On April 3, 2020, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). Due to the COVID-19 Shelter in Place Order imposed, the hearing was held via videoconference. The Defendant was present via teleconference from the Missoula Pre-Release facility, and was represented by David Maldonado of Maldonado Law, PLLC, Missoula, MT, who appeared by videoconference from the Missoula County Courthouse. The State was not represented.

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 she understood this and stated that she 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).

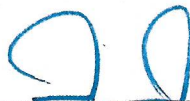
The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

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

Done in open Court this 3rd day of April, 2020.

DATED this 28th day of April, 2020.

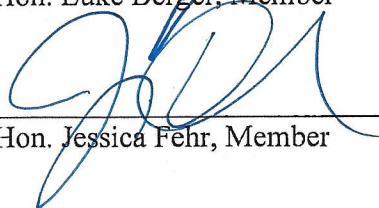
SENTENCE REVIEW DIVISION



Hon. Dan Wilson, Chairperson



Hon. Luke Berger, Member



Hon. Jessica Fehr, Member

Copies mailed this 28th day
of April, 2020, to:

Flathead Co. Clerk of District Court
Julia Maria Stinson #3026207, Defendant (2)
Hon. Robert B. Allison
David Maldonado, Defense Counsel
Alison Elaine Howard, Esq.
Board of Pardons and Parole
MWP - Records Dept.



Shelly Smith, Office Administrator
Sentence Review Division