

Sentence Review Division
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FILED
OCT 06 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-18-084
)	
Plaintiff,)	Missoula County District Court
)	
-vs-)	Montana Fourth Judicial District
)	
INGRID ROSE CADY,)	DECISION
)	
Defendant.)	

On November 7, 2019, for violation of the conditions, the Court revoked the deferred sentence and sentenced the Defendant to a commitment to the Montana Department of Corrections for a term of four (4) years for the offense of **Count I: Criminal Possession of Dangerous Drugs, a Felony, in violation of §45-9-102(1), MCA**. The Court ordered the Defendant be screened for all appropriate mental health and substance abuse treatment programs. The Defendant can petition the court for early release if successful. The Defendant was given 321 days credit for time served, which consists of jail time served of 261 days and street time credit of 60 days.

On October 2, 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"). The Defendant appeared by video from the Elkhorn Treatment Center and was represented by David Maldonado of Maldonado Law, PLLC, who appeared by video from Missoula, MT. 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 2nd day of October, 2020.

DATED this 6th day of October, 2020.

SENTENCE REVIEW DIVISION



Hon. Dan Wilson, Chairperson



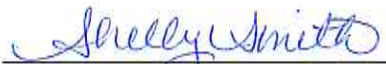
Hon. Luke Berger, Member



Hon. Jessica Fehr, Member

Copies mailed or emailed this 6th day of October, 2020, to:

- Clerk of District Court – *via email*
- Ingrid Rose Cady #3025176, Defendant (2)
- Hon Leslie Halligan – *via email*
- David Maldonado, Defense Counsel – *via email*
- D. James McCubbin, Jr., Esq. – *via email*
- Board of Pardons and Parole – *via email*
- MWP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division