

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

FILED
10/22/2025
SENTENCE REVIEW DIVISION
OF THE SUPREME COURT
OF THE STATE OF MONTANA

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STATE OF MONTANA,	)	Cause No. DC-15-2022-0000258
	)	
Plaintiff,	)	Flathead County District Court
-vs-	)	
	)	Montana Eleventh Judicial District
DESIREA MARIE GARRERA,	)	
	)	DECISION
	)	
Defendant.	)	

On April 11, 2024, the Defendant was sentenced as follows: Count I: Twenty (20) years to the Montana Women's Prison, zero (0) years suspended, for the offense of Vehicle Homicide While Under the Influence, a Felony, in violation of §61-8-1002, MCA, contrary to §45-5-106(1), MCA. Count II: Three (3) years commitment to the Department of Corrections, zero (0) years suspended, for the offense of Criminal Possession of Dangerous Drugs, a Felony, in violation of §45-9-102, MCA.

On September 26, 2025, 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 Women's Prison and was represented by Scott Hilderman, Defense Counsel. The State was represented by John Donovan. The Defendant gave 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 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.

DATED this 22nd day of October, 2025.

SENTENCE REVIEW DIVISION



Hon. Jessica Fehr, Chair



Hon. Matthew Cuffe, Member



Hon. Christopher Abbott, Member

Copies mailed or emailed this 22nd day of October, 2025, to:

Clerk of District Court – *via email*

Desirea Marie Garrera #3036543, Defendant

Hon. Dan Wilson – *via email*

Scott Hilderman, Defense Counsel – *via email*

John Donovan, Deputy Co. Attorney – *via email*

Board of Pardons and Parole – *via email*

MSP - Records Dept. – *via email*



Dia C. Lang, Office Administrator
Sentence Review Division