

Sentence Review Division
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FILED
4/10/2026
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-22-2020-0000012
)
Plaintiff,) Jefferson County District Court
)
) Montana Fifth Judicial District
-vs-)
) **DECISION**
DENISE FARMER,)
)

Defendant.

On October 29, 2025, the Defendant was sentenced to five (5) years commitment to the Department of Corrections for the offense of Count I: Theft (Common Scheme), a Felony, in violation of §45-6-301, MCA. The Sentence was to be served concurrently to her Oregon sentence. The Defendant was ordered to pay the balance of the restitution in the amount of \$607.53 (\$1,000.00 was previously paid), and pursuant to §46-18-241(2)(a), MCA, the restitution fee was waived. The Defendant was given credit for 904 days previously served.

On April 3, 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 Coffee Creek Correctional Facility in Oregon and was represented by David A. Merchant, Defense Counsel. The State was not represented. The Defendant provided 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 10th day of April 2026.

SENTENCE REVIEW DIVISION



Hon. Matthew Cuffe, Chair




Hon. Jeffrey Dahood, Member



Hon. Jessica Fehr, Member

Copies mailed or emailed this 10th day of April, 2026, to:

Clerk of District Court – *via email*
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Hon. Luke Berger – *via email*
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Montana Women’s Prison – Records Dept. – *via email*



Dia C. Lang, Office Administrator
Sentence Review Division