Sentence Review Division
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FILED
10/14/2026
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-41-2023-0000244
	)	
Plaintiff,	)	Ravalli County District Court
-vs-	)	
	)	Montana Twenty-First Judicial District
MORGAN ANN SWEENER,	)	
	)	**DECISION**
	)	
Defendant.	)	

On May 2, 2024, the Defendant was sentenced as follows: Charge I: Five (5) years to the Montana State Prison, all suspended, conditioned on successful completion of the Ravalli County Treatment Court Program. Charge II: One (1) year commitment to the Department of Corrections, all suspended, to run concurrent with Charge I. Charge III: Pay a fine of $150.00. On **January 8, 2026**, the Court found the Defendant violated the terms and conditions of her sentence, revoked the suspended sentence, and resentenced as follows: Charge I: Five (5) years to the Montana State Prison, none suspended, for the offense of Driving While Under the Influence of Alcohol and/or Drugs, 4th or Subsequent Offense, a Felony, in violation of §61-8-1002, MCA. The Court recommended the Defendant be screened for all applicable chemical dependency and/or alcohol treatment programs. The Defendant received 605 days' credit between street time and jail time. All of the reasons listed in the underlying Judgment were incorporated by reference. Further, all of the conditions as set out in the underlying Judgment were reimposed for the duration of the sentence.

On September 18, 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 Gallatin County Jail and was represented by Sean Peterson, Esq., Defense Counsel. The State was not represented. The Defendant did not give 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 14th day of October 2026.

SENTENCE REVIEW DIVISION

Hon. Matthew Cuffe, Chair

Hon. Christopher Abbott, Member

Hon. Jeffrey Dahood, Member

Copies mailed or emailed this 14th day of October 2026, to:

Clerk of District Court – *via email*
Morgan Ann Sweener #3036845, Defendant
Hon. Jennifer Lint – *via email*
Sean Peterson, Esq., Defense Counsel – *via email*
Bill Fulbright, County Attorney – *via email*
Board of Pardons and Parole – *via email*
MSP - Records Dept. – *via email*

Dia C. Lang, Office Administrator
Sentence Review Division