

ORIGINAL

FILED

01/16/2019

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 19-0046

Tyler Everett Brown
Inmate Name

3006900
Inmate ID or AO#

Montana State Prison
Facility of Incarceration

700 Conley Lake Road
Address of Facility

Deer lodge MT 59722
City State Zip

FILED

JAN 16 2019

Bowen Greenwood
Clerk of Supreme Court
State of Montana

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. _____
[The Clerk of Court will assign a number]

Tyler Everett Brown,
NAME

PETITIONER,

v.

Lynn Guyer,
NAME OF WARDEN/FACILITY ADMINISTRATOR,

RESPONDENT.

Petition for a Writ
of
Habeas Corpus

I, Tyler Everett Brown, am representing myself, and I
[Name of Inmate]
believe that I am entitled to a Writ of Habeas Corpus under § 46-22-101, MCA, for one
or more of the following reasons:

[Check the applicable box]:

- The Department of Corrections has incorrectly calculated my sentence which illegally extends my parole eligibility or discharge date.
- The Parole Board should have granted me a parole AND the Board violated my Due Process rights in denying me a parole.

I am entitled to more credit for jail time served than I received.

My sentence is illegal because:

I was sentenced after April 28, 1999, and I received a sentence of more than 5 years to the Department of Corrections, none of which was suspended.

My sentence violates my right to be free from double jeopardy.

The length of my sentence is longer than the law allows.

I am entitled to good time that is not credited against my sentence.

I am being held in jail and I believe my bail is excessive.

Other reason incarceration is illegal.

Describe in detail why you are entitled to habeas corpus relief. Be specific. If possible, provide citations to legal authority. Attach any documents that help you explain why the Court should grant your petition. A copy of any judgments, orders or other documents that support your argument must be provided.

I was revoked for taking care of my son
which is crule Punishment. I was sentenced
10 years, they changed my D.o.c to MSP.
I am missing 6 months of time served for
House arrest, and a year credited for the 3 years.
I was out, this was my first revocation in 3 years
I didnt commite any new crimes, Violations for being
around my own son.

As relief, I request the following:

- my immediate release from prison.
- reduction of my sentence or that this Court remand this cause to the district court directing the court to resentence me to a lesser sentence.
- that the Department of Corrections recalculate my sentence as this Court directs.
- Other relief. Explain:

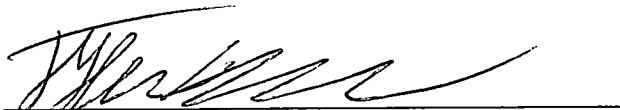
Parole upon completion of group + lesser time
a rule change to allow me to raise my kids
any of the above

VERIFICATION

STATE OF MONTANA)
) : ss.
 County of _____)

I believe I am being incarcerated illegally. I certify that the contents of this petition are true and accurate to the best of my knowledge.

DATED this 14 day of January, 2019.



 Inmate Signature

Tyler Brown

 Printed Name

CERTIFICATE OF MAILING (SERVICE)

I hereby certify that on January, 14th, 2019, I have mailed the Petition for a Writ of Habeas Corpus, as noted by a check mark (✓), to the following attorney by placing a copy in the United States Mail, postage prepaid:

State of Montana

(see INSTRUCTIONS #9)

Office of the Attorney General

P. O. Box 201401

Helena, MT 59620-1401

or

_____ County Attorney (see INSTRUCTIONS #9)
[Write name of County]

Tyler Brown
[Signature]

Tyler Brown
[Print name]