



ORIGINAL

FILED

08/01/2022

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 22-0411

FILED

AUG 01 2022

Bowen Greenwood
Clerk of Supreme Court
State of MontanaStuart Mathew Lee
Inmate Name3026058
Inmate ID or AO#Yellowstone Detention Facility
Facility of Incarceration3165 King Avenue East
Address of FacilityBillings Montana 59101
City State Zip

IN THE SUPREME COURT OF THE STATE OF MONTANA

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

PETITIONER,

v.

Comander Jason Valdez
NAME OF WARDEN/FACILITY ADMINISTRATOR,Petition for Writ of
Habeas Corpus

RESPONDENT.

I, Stuart Lee, 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.

My rights to a speedy trial have been violated. Which violates my constitutional rights. I would like for a motion put in to have my case dismissed due to having my constitutional rights ~~being~~ violated.

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:

VERIFICATION

STATE OF MONTANA)

County of Yellowstone) : ss.

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 _____ day of _____, _____.

Stuart Lee Stuart
Inmate Signature

Stuart Lee
Printed Name

CERTIFICATE OF MAILING (SERVICE)

I hereby certify that on July 27th, 2022 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]


[Signature]

Stuart Lee
[Print name]