

Cowley LAKE Rd  
Address of Facility

 ORIGINAL

Deer Lodge, MT 59721  
City State Zip

**IN THE SUPREME COURT OF THE STATE OF MONTANA**

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

GARY HANSEN  
NAME

**PETITIONER,**

v.

WARDEN Jim SALMONSEN  
NAME OF WARDEN/FACILITY ADMINISTRATOR,

**RESPONDENT.**

**Petition for Writ of  
Habeas Corpus**

I, GARY HANSEN, am representing myself, and I believe that I am entitled to a  
[Name of Inmate]

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.

We CANNOT get The 8<sup>th</sup> MT District court to provide the number of days I spent in the Cascade County Jail to MT Dept of Corrections. I was in Jail over 4 years and I should receive credit & good time for that period of incarceration.

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:

An order directing Cascade County Jail & 8<sup>th</sup> Dist Court to provide a full accounting to myself and MT Dept of Corrections for time served before - during & After my imprisonment.

VERIFICATION

STATE OF MONTANA )

County of Powell ) : 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 6 day of Nov, 2023

[Handwritten Signature]  
Inmate Signature

GARY HANSEN  
Printed Name

CERTIFICATE OF MAILING (SERVICE)

I hereby certify that on 11-7, 2023, I have mailed the ), to the  Petition for a Writ of Habeas Corpus, as noted by a check mark ( following attorney by placing a copy in the United States Mail, postage prepaid:

State of Montana  
Office of the Attorney General  
P. O. Box 201401  
Helena, MT 59620-1401

(see INSTRUCTIONS #9)

or

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Handwritten Signature]  
[Signature]

GARY HANSEN  
[Print name]