

FILED

02/26/2024

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: OP 24-0112

Chantel Marie Cottrell

Inmate Name

AO# 2139726

Inmate ID or AO#

Butte Silverbow Detention Center

Facility of Incarceration

155 W. Quartz St.

Address of Facility

Butte mt 59701

City

State

Zip

FILED

FEB 26 2024

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. OP24-0112

[The Clerk of Court will assign a number]

Chantel Cottrell

NAME

PETITIONER,

v.

**Petition for Writ of  
Habeas Corpus**

Ray Vaughn

NAME OF WARDEN/FACILITY ADMINISTRATOR,

RESPONDENT.

I, Chantel Cottrell, 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 scheduled to discharge  
my sentence on May 5<sup>th</sup> 2021  
I was not released from  
Butte Silverbow Detention Center  
until May 6<sup>th</sup> 2021. So I  
~~and~~ should be compensated  
for the extra day spent in  
jail.

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:

Compensation  
& If compensation is paid, please  
send it to Chantel Cottrell @  
po box 275, Broadus, mt 59317

#### VERIFICATION

STATE OF MONTANA )

County of Butte Silverbow ) 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 20<sup>th</sup> day of February, 2024.

Chantel Cottrell  
Inmate Signature

Chantel Cottrell  
Printed Name

## CERTIFICATE OF MAILING (SERVICE)

I hereby certify that on February 20<sup>th</sup>, 2024, 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]

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

Charlene Cottrell  
[Signature]

Charlene Cottrell  
[Print name]