

05/03/2024



CLERK OF THE SUPREME COURT  
STATE OF MONTANA  
Case Number: OP 24-0283

MAY 7 10 30 AM

FILED  
BY *K. Peterson*  
CLERK OF DISTRICT COURT

LAKE COUNTY ATTORNEY'S OFFICE  
Lake County Courthouse  
106 Fourth Avenue East  
Polson, Montana 59860-2183  
Telephone: (406) 883-6211

## MONTANA TWENTIETH JUDICIAL DISTRICT COURT, LAKE COUNTY

THE STATE OF MONTANA,

Plaintiff,

-VS-

JOSEPH SHADOW CLARK,

Defendant.

\* \* \* \* \*

CAUSE NO. DC-93-101 / 3-4

JUDGMENT AND COMMITMENT

The Defendant, JOSEPH SHADOW CLARK, having been convicted in this Court by plea of guilty to the offenses of DELIBERATE HOMICIDE, a Felony, Counts I, and II, as specified in MCA 45-5-102(1)(a), and AGGRAVATED BURGLARY, a Felony, Count III, as specified in MCA 45-6-204(2)(a), committed in the County of Lake, State of Montana, IT IS ADJUDGED AND DECREED, that the Defendant is guilty of the offenses charged.

THE COURT ORDERS that the Defendant shall be punished by confinement in the Montana State Prison for a term of one hundred (100) years on Count I, with the addition of ten (10) years for the use of a weapon, as provided in MCA 46-18-221; a term of one (100) hundred years on Count II, with the addition

JUDGMENT AND COMMITMENT

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1 of ten (10) years for the use of a weapon, as provided in MCA  
2 46-18-221; and forty (40) years on Count III. The sentence  
3 imposed on Count II shall run consecutively to the sentence  
4 imposed on Count I. The sentence imposed on Count III shall run  
5 concurrently with the sentences imposed on Counts I and II, for  
6 a total sentence of two hundred twenty (220) years, with none of  
7 that time suspended. The Defendant shall receive credit for  
8 time served in Oregon and the Lake County Jail on this offense,  
9 which as of the date of this Judgment totals two hundred one  
10 (201) days.

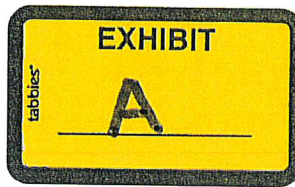
11 IT IS FURTHER ORDERED, that as an additional restric-  
12 tion on the sentence, pursuant to MCA 46-18-202(2), the Defen-  
13 dant shall be ineligible for parole and participation in the  
14 supervised release program until he has attained the age of  
15 sixty (60) years. The reasons for such restriction are that the  
16 Defendant violated the sanctity of the victims' home at night  
17 while they were sleeping and without any apparent motive shot  
18 two totally innocent persons, John and Nancy Bosco, to death.

19 THE COURT FINDS that such restriction against parole is  
20 necessary for the protection of society from the heinous acts of  
21 the Defendant.

22 THE COURT FURTHER ORDERS that the Defendant shall pay  
23 surcharges of SIXTY DOLLARS (\$60.00), as required by law, which  
24 shall be paid to the Clerk of the District Court.

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1 THE COURT STATES ITS REASONS for said sentence are as  
2 follows:

3 1. That it conforms to the plea agreement and the  
4 recommendations of the probation and parole office of the Mon-  
5 tana Department of Corrections.

6 2. That the sentence will provide punishment to the  
7 Defendant and the State has not requested the death penalty for  
8 these crimes due to the mitigating circumstances of the youth of  
9 the Defendant who was eighteen (18) when the crimes were com-  
10 mitted and the absence of any prior criminal record.

11 3. That the sentence herein imposed requires a sub-  
12 stantially longer period of incarceration in prison before the  
13 Defendant may be considered for parole than would a life sen-  
14 tence without additional restrictions for these offenses.

15 DATED this 27th day of July, 1994.

16 SIGNED this 27<sup>th</sup> day of July, 1994.

17 E. B. McNeil  
18 JUDGE OF THE DISTRICT COURT  
19 C. B. McNeil, Presiding  
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JUDGMENT AND COMMITMENT

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