



ORIGINAL

FILED

10/29/2024

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 24-0591

IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 24-0591

FILED

OCT 28 2024

Bowen Greenwood
Clerk of Supreme Court
State of Montana

ROBERT LEE REICH,

Petitioner,

v.

ORDER

RAY VAUGHN, Captain,
Butte-Silver Bow Detention Center,

Respondent.

Robert Lee Reich petitions this Court for habeas corpus relief, indicating that his incarceration is illegal. Reich states that he was never personally served with a copy of the State's Petition to Revoke, dating back to July 2024. He further states that he was arrested on March 8, 2024, and contends that the State has violated his rights under Montana law. *See* §§ 46-18-203, and 46-23-1012, MCA. He requests that "[t]he State dismiss the [alleged] revocation and allow [him] to post [his] bail."

This Court has entertained two other previous petitions for habeas corpus relief this year. *See Reich v. Vaughn*, No. OP 24-0174, Order (Mont. Apr. 9, 2024) (*Reich I*) and *Reich v. Vaughn*, No. OP 24-0375, Order (Mont. Jun. 25, 2024) (*Reich II*). He first claimed excessive bail in March 2024. *Reich I*. In June, he challenged the no bond hold and alleged due process violations. *Reich II*. We have denied both of his petitions.

Pursuant to § 46-23-1015(5), MCA, "[t]he provisions of chapter 9 of this title regarding release on bail of a person charged with a crime do not apply to a probationer ordered to be held in a county detention center or other facility under this section." Reich is not entitled to bail. His other claims are not remedied by habeas corpus relief. Section 46-22-101(1), MCA. Accordingly,

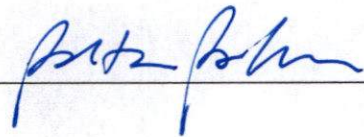
IT IS ORDERED that Reich's Petition for Writ of Habeas Corpus is DENIED and DISMISSED.

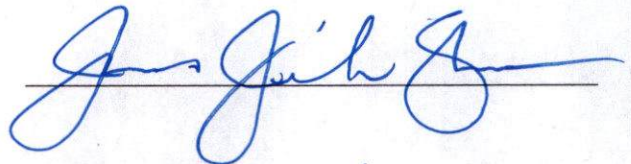
IT IS FURTHER ORDERED that this matter is CLOSED as of this Order's date.

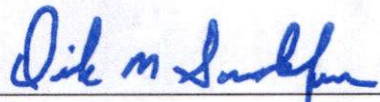
The Clerk is directed to provide a copy of this Order to: the Honorable Robert J. Whelan, District Court Judge; Beth Parks, Clerk of Court, under Cause No. DC-18-103 and to Reich's Defense Counsel; counsel of record; Ann Shea, County Attorney and Aaron Rains, Deputy County Attorney; Ray Vaughn; and Robert Reich personally.

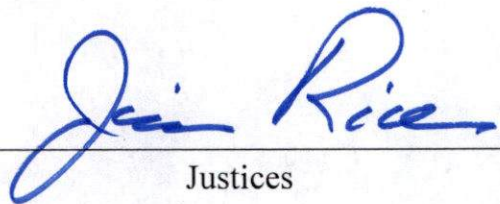
DATED this 29th day of October, 2024.











Justices