

FILED

12/20/2024

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 24-0740

FILED

DEC 20 2024

Bowen Greenwood
Clerk of Supreme Court
State of Montana

Loren Joseph Spotted Eagle
Inmate Name

2073998
Inmate ID or AO#

Core Civic
Facility of Incarceration

50 Crossroads Drive
Address of Facility

Shelby MT 59474.924850
City State Zip

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. OP 24-0740
[The Clerk of Court will assign a number]

Loren Joseph Spotted Eagle
NAME

PETITIONER,

v.

Petition for Writ of
Habeas Corpus

D. Godfrey
NAME OF WARDEN/FACILITY ADMINISTRATOR,

RESPONDENT.

I, Loren Joseph Spotted Eagle, 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.

ON August 8, 2022 (cause # DC 22-13) I was arrested
and booked into Pondera County (Conrad) Jail.

ON January 9, 2023 I was sentenced to a
~~five~~ five yr. commitment.

No Jail time was given - approx 150 days
should of been granted.

Also it was recommended that 370 days of
street time be granted by probation officer
Mark A Hilgard in his report of violation

Which was also never considered.

Mark A. Hilgard (406) 268-3217

[Use extra pages if necessary]

p. 3 of 5

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 Pondera) : 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 16 day of December, 2024.

Loren J. Spotted Eagle
Inmate Signature

Loren J. Spotted Eagle
Printed Name

CERTIFICATE OF MAILING (SERVICE)

I hereby certify that on December 16, 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]

Loren J Spotted Eagle
[Signature]

Loren Joseph Spotted Eagle
[Print name]