

FILED

01/31/2025

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 25-0089

Jared Matthew Eves

Inmate Name

64459

Inmate ID or AO#

Montana State Hospital

Facility of Incarceration

300 Garnet way

Address of Facility

warmsprings MT

City

State

59756-9705

Zip

FILED

JAN 31 2025

Bowen Greenwood
Clerk of Supreme Court
State of Montana

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. OP 25-0089

[The Clerk of Court will assign a number]

Jared Eves

NAME

PETITIONER,

v.

Kevin Flanagan (CEO)

NAME OF WARDEN/FACILITY ADMINISTRATOR,

Petition for Writ of
Habeas Corpus

RESPONDENT.

I, Jared Eves

[Name of Inmate]

, am representing myself, and I
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 *either* good time or street 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 got incarcerated August 12th 2021
in the Yellowstone County Detention Facility
and I signed a plea bargain 10 years, 5 years
suspended. Now with that being said I was
looking at 40 years for assault on a police officer
four different accounts but two were dropped
and all four should have been dropped too. The
Department of corrections has incorrectly calculated
my sentence which illegally extends my parole
eligibility or Discharge date. Now for jail
credit time served it is 5 days short of 5 months.

when it should be seven months exactly. Now with
all this in mind too, The Department of Corrections
made a mistake & said my Discharge Date is in 2027
when it is suppose to be in 2026. Cause August 12th
2001, five years from that date is August 12th 2026
is my Discharge date. I was out on Bail from my
Jail Sentence for three days and three days only, so
subtract three days from my discharge date and this
is what it is August 16th 2026. Now with that being
said lets talk about the charges. I saw the cops three
times in one night and that was cop entrapment
The racist prick called me an N word and
told me to take a seat and take a beating to so
that is why I ran. The second one he said I would
like to beat your ass like I already did but he
didn't but he did shoulder check me and reached
for his baton, so we fought. I ran to my room
and closed to lock the door. He called me the N word
as he nudged me! With all this being said free me
From this mess of incarceration and I'll never
let it happen again! Dave Lewis P.S. 1-480-627-7000
request me on Buring.

[Use extra pages if necessary]

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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 Deer Lodge) : 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 15th day of January, 2025.

Jared Eves
Inmate Signature

Jared Eves
Printed Name

CERTIFICATE OF MAILING (SERVICE)

I hereby certify that on _____, 20____, 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]



[Signature]

Jared Evers

[Print name]