

FILED

03/10/2025

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 25-0182

FILED

MAR 10 2025

Bowen Greenwood
Clerk of Supreme Court
State of Montana

Steven Todd Hoover
Inmate Name

28247
Inmate ID or AO#

crossroads correctional center
Facility of Incarceration

50 crossroads Dr.
Address of Facility

Shelby
City

MT.
State

59474
Zip

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. OP 25-0182
[The Clerk of Court will assign a number]

Steven Todd Hoover
NAME

PETITIONER,

v.

Petition for Writ of
Habeas Corpus

D. God Frey
NAME OF WARDEN/FACILITY ADMINISTRATOR,

RESPONDENT.

I, Steven Todd Hoover, 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.

Steven Todd Hoover 11-19-1960 A#28247

case# (DC 94-254) Flathead Co. MT.

To Whom This may concern:

Although I have very little access to any
records pertaining to this case, I do believe I

have enough information available for you

so that we may be able to proceed in my arg-
ument of an unlawful sentence given to

me, after the fact (Expo-Facto) in Oct. of 1999.

In October of 1994: I was arrested, and charged
with a Felony, for "Indecent Exposure", in

Kalispell, MT.

In February, 1995, I plead guilty to the charge, and was given a 5 year suspended sentence (Plea Agreement) with the condition that I attend an S.O.P. out-patient treatment with a Mr. Andy Hudak.

Two and a half years later, in the summer of 1997, Mr. Hudak, kicked me out of his treatment after failing a random Polygraph Test.

When my Probation learned of my being kicked out of treatment, my Probation was revoked, and I was given back all of my original sentence.

Up to this point; I had never been required to register as a sex offender, nor was I ever given a tier level.

Because of "Good-Time" in 1997, giving me day for day credit for time served, I would have only two and a half years to discharge my 5 year sentence.

After spending 6 months in Flathead Co. Jail,

Date: 3-5-25

I was sent to Deer Lodge Montana State Prison for the next 2 years.

In 1998-1999, while at M.S.P., I completed the required S.O.P. Treatment, Phases 1 & 2, under the direction of Chris Quigley, and Blair Hopkins.

In October of 1999, I was discharging my sentence, I was in the change house, I was given my gate-money ect... and heading out the gate.

I was called back to the desk by one of the C.O.'s, who told me, "I needed to read and sign some documents requiring me to register as a sex offender for the next ten years."

When I refused, the guard threatened to take me to down-town Deer Lodge, and have me arrested if I didn't comply.

I signed; Because I wasn't sure I had a choice.

There was never any mention in my original, 1995 sentencing, requiring me to register as a sex offender, nor was I ever given a tier level.

I ask now: That the High Court review my case, and over-turn this unlawful sentence.

The Law to register as an S.O. came into effect in July of 1997.

Refer to: Hinman vs. State of Montana (2023)

Thank you for your time in reading this letter, and in reviewing my case.

Respectfully

Steve Hoover

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 Toole) 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 5th day of march, 2025.

Steve Z. Hoover
Inmate Signature

STEVEN TODD HOOPER
Printed Name

CERTIFICATE OF MAILING (SERVICE)

I hereby certify that on march 5, 2025, 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

☒ Toole County Attorney (see *INSTRUCTIONS* #9)
[Write name of County]

crossroads correctional

50 crossroads Dr.

Shelby, MT 59474

Steven T. Hoover
[Signature]

STEVEN TODD HOOPER
[Print name]