

ORIGINAL

FILED

10/28/2025

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 25-0701

IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 25-0701

FILED

OCT 28 2025

Bowen Greenwood
Clerk of Supreme Court
State of Montana

SHAWN MICHAEL BALL,

Petitioner,

v.

ORDER

STATE OF MONTANA
DEPARTMENT OF CORRECTIONS,

Respondent.

Representing himself, Shawn Michael Ball has filed a verified Petition for Writ of Habeas Corpus, alleging illegal incarceration because he was sent to the Montana State Prison after receiving a commitment to the Department of Corrections. His attachments indicate that he received a sentence from the Thirteenth Judicial District Court, Yellowstone County. Ball requests to be placed on probation and in a sober living place.

Upon review of this Court's docket, Ball has counsel to represent him in a direct appeal of his criminal case. *State v. Ball*, No. DA 25-0384. Counsel filed a Notice of Appeal on May 29, 2025. Briefing has not begun.

Ball's remedy is his appeal. The remedy of habeas corpus is not a substitute for a direct appeal of a conviction and sentence. *State v. Wright*, 2001 MT 282, ¶ 13, 307 Mont. 349, 42 P.3d 753.

Without reaching the merits, we must dismiss his Petition.

Accordingly,

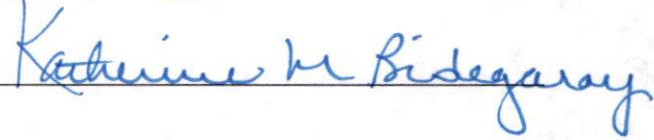
IT IS ORDERED that Ball's Petition for Writ of Habeas Corpus is DISMISSED without prejudice.

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: counsel of record; Tammy A. Hinderman, Appellate Defender Division; Brent A. Mead, Assistant Attorney General; Scott D. Twito, Yellowstone County Attorney; and Shawn Michael Ball personally.

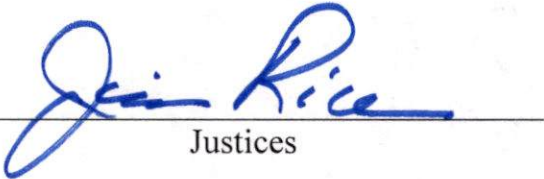
DATED this 28th day of October, 2025.










Justices