

Dennis Jay Hobbes
AO# 3004422
Saguaro Correctional Center
1250 E. Arica Road
Eloy, AZ 85131

Petitioner/ Defendant Pro Se

ORIGINAL

FILED

MAR 04 2026

Bowen Greenwood
Clerk of Supreme Court
State of Montana

- IN THE -

***** MONTANA SUPREME COURT *****

DENNIS JAY HOBBS,
Petitioner

-v.-

STATE OF MONTANA,
Respondent

CAUSE NO.: OP26-0154

REQUEST
FOR PERMISSION TO FILE
A SECOND OR SUCCESSIVE
HABEAS CORPUS PETITION

COMES NOW the Petitioner/ Defendant, Mr. Dennis Jay Hobbes, and brings before the Supreme Court for the State of Montana, his Request for Permission from the Court to file a Second or Successive Habeas Corpus Petition.

Mr. Hobbs puts this request before the Court with the purpose of presenting two issues that have not previously been considered by the Montana Supreme Court:

1. Dennis Jay Hobbs was sentenced in the Montana Twentieth Judicial District Court under the Honorable James Manley on September 17, 2014. After being sentenced, Petitioner Hobbs was returned to the State of Idaho where he served-out the remainder of his previous prison sentence under the Idaho Department of

Corrections.

After serving ten years in the State of Idaho, Mr. Hobbs has come back to the State of Montana to serve his sentence under the Montana Department of Corrections. Petitioner Hobbs would like the Montana Supreme Court to consider whether the Court's decisions in Killam v. Salmonsén, 2021 MT 196, 405 Mont. 143, 492 P.3d 512; State v. Crazywule, 2024 MT 58, 415 Mont. 536, 545 P.3d 66; et. al.; regarding how credit for time served is applied to a defendant's sentence have relevance in Petitioner Hobbs' situation, as the Petitioner was serving his time in Idaho under both his Idaho conviction and his Montana conviction simultaneously. The Petitioner would like to apply his ten-years of time-served in the State of Idaho to his current Montana prison sentence.

2. When the Honorable James Manley sentenced Petitioner Hobbs on Sep. 17th, 2014, he ordered that Mr. Hobbs be convicted on two counts of Sexual Intercourse Without Consent (MCA §45-5-503) and serve-out two consecutive 50-year sentences. The Court did not specify “life” or “life in prison” as its intention for defendant Hobbs' sentence. The Petitioner would like for the Court to consider Mr. Hobbs' Double Jeopardy rights against being convicted twice for the same crime against the same person (Mont. Const. Art. II. §25), as well as the Hon. Manley handing-down two consecutive 50-year sentences, when Montana Code Annotated §45-5-503(2) specifically provides that a defendant be sentenced to

either “Life” or “not more than 20 years”. The Petitioner believes that the latter issue especially merits enough importance for the Court to consider whether it constitutes an illegal sentence that is “beyond statutory mandates”, (Quoting the Montana Supreme Court's decision in State v. Tippets, 2022 MT 81, ¶ 9, 408 Mont. 249, 253, 509 P. 3d 1, 3) and warrants further proceedings under Montana's standards of jurisprudence.

The Montana Supreme Court has considered other petitions from Mr. Hobbs in the past. See State v. Hobbs, 2022 Mont. LEXIS 855; Hobbs v. State, 2018 MT 168N, 393 Mont.537, 421 P.3d 794; also the U.S. District Court in Hobbs v. Valley, 2024 U.S. Dist. LEXIS 34545 (D. Mont. 2024). However, the Court has never before considered these two issues as they pertain to Petitioner Hobbs' current situation.

As the Montana Supreme Court Ordered Mr. Hobbs' cause previously CLOSED with regards to the Petitioner's previously presented claims, he respectfully requests that the Court allow him to present these issues before the Court in a Second or Successive Habeas Corpus Petition, or even to reopen the matter under a Montana Rules of Civil Procedure, Rule 60 Petition, in order to properly consider the issue of illegal sentencing beyond statutory maximums.

Signature of Petitioner / Defendant:



Dennis Jay Hobbs AO# 3004422

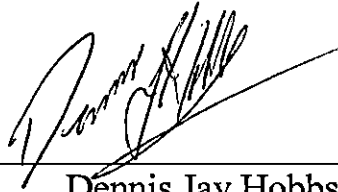
CERTIFICATE OF SERVICE

The Petitioner, Mr. Dennis Jay Hobbs, hereby swears and certifies that a true and correct copy of the foregoing "Request to File..." was placed in the prison mailbox at Saguaro Correctional Center, 1250 E. Arica Rd., Eloy, AZ 85131, on the 25 day of February, 2026, and sent by mail to the following recipients:

- 1.) Clerk of the Montana Supreme Court
Attn: Mr. Bowen Greenwood
P.O. Box# 203001
Helena, MT 59620

- 2.) Office of the Montana Attorney General
Attn: Attorney General Austin Knudsen
P.O. Box# 201301
Helena, MT 59620

Signature of Petitioner / Defendant:



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