

RAVALLI COUNTY ATTORNEY'S OFFICE
Bill Fulbright, County Attorney
Ravalli County Courthouse
205 Bedford Street, Suite C
Hamilton, MT 59840

Attorneys for Plaintiff

MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT, RAVALLI COUNTY

STATE OF MONTANA,

Plaintiff.

vs.

BRANDON SCOTT AMOS,

Defendant.

)
) Cause No.: DC 22-9
)
) Dept. No.: 1
)

PLEA AGREEMENT

Bill Fulbright, Ravalli County Attorney, for the State of Montana, and Defendant BRANDON SCOTT AMOS by and through John Boyd, Attorney for Defendant, hereby stipulate and agree as follows:

Defendant

A. Defendant will plead Guilty to the following charges contained in an *Amended Information*:

CHARGE 1 – CRIMINAL ENDANGERMENT, a Felony, in violation of § 45-5-207, MCA; and

CHARGE 2 – CRUELTY TO ANIMALS, a Misdemeanor, in violation of § 45-8-211, MCA.

B. Defendant agrees to recommend the Form of Sentence set forth below.

C. By pleading Guilty Defendant waives Defendant's right to appeal or otherwise challenge this conviction by direct appeal, habeas corpus, or post-conviction relief.

The State

The State agrees to file an *Amended Information* outlining the above and agrees to recommend the form of sentence set forth below.

Form of Sentence – Conditions of Agreement

The State, Defendant, and Defendant's attorney of record shall each set forth sentencing recommendations as follows:

1. Charge 1 – Criminal Endangerment, a Felony:
 - i. Jail: A deferred imposition of sentence for a term of two (2) years, conditioned on service of 223 days, with credit for 223 days served. It is the State's belief that Defendant qualifies under Montana law for a deferred imposition of sentence.
 - ii. Fine: The State will leave the amount of any fine imposed to the Court's discretion, and Defendant is free to make any lawful recommendation with respect to the fine imposed:
 - iii. Surcharges:
 1. \$20 or 10% of fine (whichever is greater) (§46-18-236(1)(c), MCA)
 2. \$50.00 Crime Victim surcharge fee (§ 46-18-236(1)(c), MCA)
 3. \$100.00 Cost of prosecution pursuant to § 46-18-232(1), MCA
 4. \$10.00 Court Technology fee (§ 3-1-317, MCA)

Charge 2 – Cruelty to Animals, a Misdemeanor:

- i. Jail: Two hundred twenty-three (223) days in the Ravalli County Detention Center, with credit for 223 days served, to run concurrent with the sentence imposed under Charge 1 above.
- ii. Fine: The State will leave the amount of any fine imposed to the Court's discretion, and Defendant is free to make any lawful recommendation with respect to the fine imposed:
- iii. Surcharges:
 1. \$15.00 Statutory Surcharge (§46-18-236, MCA)
 2. \$50.00 Crime Victim Surcharge (§46-18-236, MCA)

Case Surcharges:

1. \$100.00 Cost of prosecution pursuant to § 46-18-232(1), MCA
2. \$10.00 Court Technology fee (§ 3-1-317, MCA)

2. Defendant will be subject to the conditions of probation imposed by the Adult Probation and Parole Office and/or this Court, which shall include:
 - a. Defendant shall pay restitution in an amount to be determined for damage to his father's residence:
 - b. Defendant shall remain in compliance with all mental health treatment recommendations by his treatment providers and evaluators:
 - c. Defendant shall not possess or consume alcohol, illegal drugs, prescription drugs (unless used in accord with a valid prescription), inhalants, or any other intoxicants:
 - d. Defendant shall not enter any bar, tavern, casino, or other place where alcohol or other intoxicants are the chief item of sale:

- e. Defendant shall submit to Breathalyzer testing or bodily fluid testing for alcohol or drugs at the lawful demand of Defendant's Probation & Parole Officer or as ordered by this District Court.
3. The parties are otherwise free to recommend and argue for any other lawful term of sentence and/or conditions thereto, subject to a final decision by the District Court;
4. Defendant agrees that Defendant has been fully advised by Defendant's attorney regarding the Guilty pleas. Defendant further agrees to file a signed *Guilty or No Contest Plea and Waiver of Rights* on the date that Defendant enters the pleas;
5. **This is a recommended sentence pursuant to the provision of § 46-12-211(1)(c) and Defendant, by signing this agreement, understands Defendant may not withdraw Defendant's plea in the event the court does not accept this plea agreement; and**
6. This agreement is further conditioned upon Defendant's conduct between entry of plea and the time of sentencing. If the Court finds by a probable cause determination that during that time period Defendant failed to conduct himself as a good citizen, violated any condition of release on bail, violated any criminal law, or failed to cooperate in any way with the preparation of a *Pre-Sentencing Investigation*, the State and the Court shall no longer be bound by the terms of this Agreement.

DATED: August 9, 2022



Brandon Scott Amos, Defendant

DATED: August 9, 2022



John Boyd, Defense Attorney

DATED: August 10, 2022



Bill Fulbright, Ravalli County Attorney

CERTIFICATE OF SERVICE

I, William E. Fulbright, hereby certify that I have served true and accurate copies of the foregoing Stipulation - Plea Agreement to the following on 08-15-2022:

John Connors Boyd (Attorney)
300 S. 2nd St
Hamilton MT 59840
Representing: Brandon Scott Amos
Service Method: eService

Electronically signed by Julie Wall on behalf of William E. Fulbright
Dated: 08-15-2022