

SUPREME COURT OF MONTANA

State v. Manywhitehorses

2010 MT 225 (2010) · No. DA 09-0581 · Decided October 26, 2010

SUMMARY

The Supreme Court of Montana considered whether the prosecutor breached a plea agreement during sentencing by presenting evidence and recommending a 100-year sentence for negligent homicide. The court held that the plea agreement imposed no limitation on the State’s sentencing recommendation for negligent homicide and that the evidence presented was relevant to the defendant’s history and the offenses. The judgment was affirmed.

CASE DETAILS

COURT	Supreme Court of Montana
WRITING FOR THE COURT	W. William Leaphart; Mike McGrath; James C. Nelson; Brian Morris; Jim Rice
JURISDICTION	Montana
DECIDED	October 26, 2010
DOCKET	DA 09-0581
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed the sentence imposed after she pleaded guilty pursuant to a plea agreement to negligent homicide and tampering with physical evidence.
STANDARD OF REVIEW	De novo review applies to a claim that the prosecutor breached a plea agreement; abuse-of-discretion review applies when the defendant claims the district court failed to require the State to comply with the agreement.
PRECEDENTIAL VALUE	Published Montana Supreme Court opinion; precedential.
PARTIES	Summer Lee Manywhitehorses v. State of Montana

TOPICS

- plea bargaining
- breach of contract
- sentencing
- criminal procedure
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the prosecutor breached the State's contractual obligations under the plea agreement by presenting evidence and arguing for a 100-year sentence for negligent homicide at sentencing.

HOLDINGS

1. A plea agreement is a contract subject to contract-law standards, and whether the prosecutor breached it is reviewed de novo.
2. The State did not breach the plea agreement because the agreement required only a recommendation of twenty years for tampering with physical evidence and imposed no sentencing recommendation limit for negligent homicide.
3. The State did not violate the plea agreement by presenting photographs and testimony that could suggest deliberate homicide because the evidence was also relevant to the defendant's history and to the offenses to which she pleaded guilty.

KEY QUOTATIONS

“Thus, the appropriate standard of review for addressing a claim of breach of the plea agreement is de novo.”
(¶ 10)

“Here, as in Hill, we cannot conclude that the State violated the plea agreement.” (¶ 16)

FACTUAL BACKGROUND

Manywhitehorses was arrested for driving under the influence after an accident, and her children were subsequently adjudicated youths in need of care. She initially misrepresented the location of her son J.M., whose decomposed body was later found in the trunk of her impounded vehicle. She told police that J.M. had fallen from a high chair, that she did not call an ambulance, and that she later concealed his body. At sentencing, the State presented testimony and photographs concerning the circumstances of J.M.'s death and recommended a 100-year sentence for negligent homicide.

PROCEDURAL HISTORY

The State initially charged Manywhitehorses with deliberate homicide, negligent homicide, and tampering with physical evidence. Pursuant to a plea agreement, she pleaded guilty to negligent homicide and tampering with physical evidence; the State dismissed the deliberate homicide charge and agreed to recommend twenty years for tampering, while making no specific recommendation on negligent homicide. At sentencing, the State recommended 100 years for negligent homicide and twenty years for tampering, and the District Court imposed concurrent terms of forty years and fifteen years, respectively. The Montana Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Rardon, 1999 MT 220, ¶ 11, 296 Mont. 19, 986 P.3d 424
- State v. Rardon, 2002 MT 345, ¶¶ 15, 21, 314 Mont. 321, 61 P.3d 132
- State v. Hill, 2009 MT 134, ¶¶ 29, 31, 49, 350 Mont. 296, 207 P.3d 307
- State v. Shepard, 2010 MT 20, ¶ 8, 355 Mont. 114, 225 P.3d 1217

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