

MOTION FOR SENTENCE REDUCTION

Use the attached form motion if you have served over half your jail sentence and you can show the Court you have been a model inmate and/or have extraordinary circumstances that would warrant a reduction in your jail sentence. You will want to get any statements from someone to show you have been a model inmate. You will want to show the Court of any medical or personal issues that would warrant a reduction in your jail sentence. You can attach copies of any documents to the motion before you file the motion.

INSTRUCTIONS FOR FILLING OUT THE FORM. To fill out the attached form follow these instructions. The numbers to each instruction below is the number on the blank line on the form where the information for that number needs to be inserted on the form.

Instructions for filling out the motion:

- (1) on this line insert your name. If you are charged with a crime(s) you are the defendant.
 - (2) on this line insert the date you were sentenced by the Court.
 - (3) on this line insert how many days of jail you were sentenced to.
 - (4) on this line insert how many days of jail of your sentence you have served.
 - (5) on this line explain any circumstances of why the Court should reduce your sentence. This could include employment, need to care for a child or disabled adult, breast-feeding, a medical condition. Attach any copies of supporting documents to the motion before you file it.
 - (6) on this line insert the date you sign the motion
 - (7) on this line sign the motion
- Note: Your motion must be signed and dated before the Clerk can accept it for filing and service
- (8) on this line date the day you mailed a copy of the motion to the RST Prosecutor's office. You are required to serve a copy of the motion on the RST Prosecutor's office.
 - (9) on this line sign your name to certify you mailed a copy of the motion on date you inserted on line (8).

NOTE: You must file your motion with the RST Clerk of the Criminal Court and mail a copy to Tribe's Prosecutor's office.

ROSEBUD SIOUX TRIBAL COURT)
ROSEBUD SIOUX RESERVATION) SS
ROSEBUD, SOUTH DAKOTA)

IN CRIMINAL COURT

Rosebud Sioux Tribe, Plaintiff, v. (1) _____, Defendant.	DOCKET #CR _____ MOTION FOR REDUCTION OF SENTENCE
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Comes now, the above-named Defendant who moves this Honorable Court for an Order A reduction of his or her sentence for the following reasons:

1. That on (2) _____ I was sentenced by this Court to (3) _____.

2. That I have served (4) _____ days in jail.

3. That this Court should stay the sentence of imprisonment as I have been a model inmate since my incarceration and reflected by any attachment to this motion.

4. That this Court should reduce my sentence of imprisonment because (5) _____

5. That it would be unfair to serve any sentence of imprisonment and fines and costs or order of probation.

6. Article X Section 1(f) of the RST Constitution and 25 USC Section 1302 (a)(8) of the Indian Civil Rights Act both prohibit the Tribe from denying any person of liberty without due process of law.

7. That it would be unfair and the defendant would be prejudiced if his or her sentence of imprisonment is not reduced.

With time served, justice has been served and any further jail time would be amount to

retribution.

WHEREFORE, the defendant requests that the Court reduce the sentence of imprisonment.

(6) _____

(7) _____
Defendant

CERTIFICATE OF SERVICE

The defendant hereby certifies that on (8) _____ I did serve a true and correct copy of the Document in the above matter by mail on the Rosebud Sioux Tribal Prosecutor's Office at P.O. Box 500, Rosebud, SD 57570.

(9) _____
Defendant