

PROB 12B  
Rev 01-17

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MONTANA**

**REQUEST FOR MODIFYING THE CONDITIONS OR TERM OF SUPERVISION  
WITH CONSENT OF THE OFFENDER**

(Probation Form 49, Waiver of Hearing is Attached)

**RECEIVED**

MAR 12 2018  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF MONTANA  
BILLINGS, MONTANA

**Name of Offender:** Tawnya Bearcomesout

**Docket Number:** 0977 1:16CR00013-001

**Name of Sentencing Judicial Officer:**

THE HONORABLE SUSAN P. WATTERS  
UNITED STATES DISTRICT JUDGE

**Date of Original Sentence:** 11/10/2016

**Original Offense:** 18:1112.F; MANSLAUGHTER - INVOLUNTARY, 18:1153.F; OFFENSES  
COMMITTED WITHIN INDIAN COUNTRY

**Original Sentence:** 198 Days custody, 36 months supervised release

**Date of Revocation:** September 13, 2017

**Revocation Sentence:** 6 months Bureau of Prisons; 30 months Supervised Release

**Type of Supervision:** Supervised Release

**Date Supervision Commenced:**

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**PETITIONING THE COURT**

To extend the term of supervision for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.

To modify the condition of supervision as follows:

**Remove Special Condition number 9 on the Judgment and Commitment Order imposed upon the  
defendant on 09/13/2017:**

Modified  
Condition

Condition Description

1

Special condition: The defendant shall reside in a Residential Reentry Center (RRC) under contract to the United States Bureau of Prisons; in the pre-release component, for a period of six months. The defendant shall abide by all rules and regulations of the center and successfully complete any programming as deemed appropriate by the United States Probation Office.

**\*\* CAUSE \*\***

On 11/10/2016, the defendant appeared for sentencing before THE HONORABLE SUSAN P. WATTERS, UNITED STATES DISTRICT JUDGE, having pled guilty to the offenses of 18:1112.F; MANSLAUGHTER - INVOLUNTARY, 18:1153.F; OFFENSES COMMITTED WITHIN INDIAN COUNTRY. The offense involved the defendant, after an evening of drinking, stabbing her common-law husband in the chest resulting in his death. The defendant was sentenced to 198

**Request for Modifying the Conditions or Terms of Supervision**

**Name of Offender: Tawnya Bearcomesout**

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days custody, followed by 36 months supervised release. The defendant began the original term of supervised release on 11/10/2016.

On 09/13/2017, the defendant's term of supervised release was revoked for missed random urinalysis tests, arrested for DUI, missed therapy appointments and failure to make continuous payments towards restitution. She was sentenced to 6 months custody, followed by 30 months supervised release. She began her current term of supervised release on 12/31/2017.

**U.S. Probation Officer Recommendation:**

The undersigned officer contacted the Residential Reentry Center (RRC) in Billings, Montana, and they are not accepting public law placements at this time.

Therefore, this officer respectfully requests the Court consider the above modification in lieu of revocation. Should Your Honor agree with the recommendation, I have enclosed a copy of the Probation 49, Waiver of Hearing to Modify Conditions of Supervision, where the defendant has voluntarily agreed to modify their conditions. Counsel for the government and the defendant have been consulted and neither party object to the modification.

Reviewed

By: Brian R Farren  
Brian R Farren  
Supervising United States Probation  
Officer  
Date: 03/09/2018

Respectfully Submitted

By: Brian R Farren (for)  
Josh Lachenmeier  
United State Probation Officer  
Date: 03/09/2018

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**ORDER OF COURT**

- The Extension of Supervision as Noted Above
- The Modification of Conditions as Noted Above
- No Action
- Other

Susan P. Watters  
Susan P Watters

United States District Judge

3-12-2018  
Date

PROB 49  
Rev 2-15

Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MONTANA**

**Name of Offender:** Tawnya Bearcomesout

**Docket Number:** 0977 1:16CR00013-001

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

(to remove below condition)

Modified  
Condition

Condition Description

1

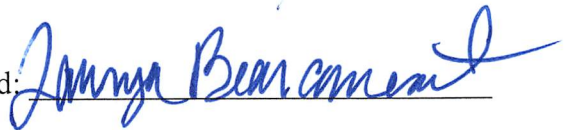
Special condition: The defendant shall reside in a Residential Reentry Center (RRC) under contract to the United States Bureau of Prisons, in the pre-release component, for a period of six months. The defendant shall abide by all rules and regulations of the center and successfully complete any programming as deemed appropriate by the United States Probation Office.

Witness:



U.S. Probation Officer

Signed:



Probationer or Supervised Release

Date:

3/9/18

Date:

3/9/18