

<u>CASE NO.</u>	<u>VOLUME</u>	<u>PAGE</u>
Cite as: R. v. Leger, 1997 NSCA 137		
JOSEPH DISMAS LEGER (Appellant)	- and -	HER MAJESTY THE QUEEN (Respondent)
C.A.C. No. 135753	Halifax, N.S.	FLINN, J.A.

APPEAL HEARD: May 27, 1997

JUDGMENT DELIVERED: May 28, 1997

SUBJECT: **Criminal Law - Sentencing**

SUMMARY: The appellant pleaded guilty to twelve charges, two of which involved serious spousal assaults, one of which was assault causing bodily harm. At the time of sentencing, the appellant's record included 59 convictions, most of which were crimes of violence. The appellant applies for leave to appeal and, if granted, appeals a total sentence of four years incarceration. He claims the sentence is harsh and excessive because the offence occurred when the appellant was drinking, and that his common-law spouse did not want him charged. He further alleges that this was essentially a domestic dispute.

ISSUE: Appellate review in sentencing matter.

RESULT: Leave to appeal refused. Appellant's arguments of no merit.

The trial judge inadvertently neglected to impose firearm prohibition. Life time ban imposed on the appellant because of the conviction for the indictable offence of assault causing bodily harm and because of his prior record.

THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION. QUOTES MUST BE FROM THE DECISION, NOT FROM THE COVER SHEET. THE FULL COURT DECISION CONSISTS OF 8 PAGES.