

IN THE SUPREME COURT OF NOVA SCOTIA

APPEAL DIVISION

Hallett, Matthews and Freeman, JJ.A.

BETWEEN:

HER MAJESTY THE QUEEN

Appellant

- and -

MARVIN HALLET ARMSTRONG

Respondent

)
) Robert C. Hagell
) for the appellant

)
) Faisal Joseph
) for the respondent

)
) Appeal Heard:
) January 21, 1992

)
) Judgment Delivered:
) January 21, 1992
)
)

THE COURT:

Leave to appeal granted and the appeal
dismissed per oral reasons for judgment
of Matthews, J.A.; Hallett and Freeman,
JJ.A. concurring.

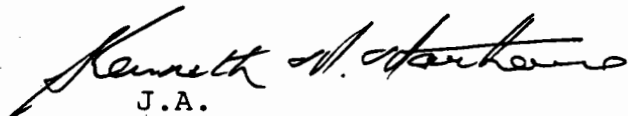
The reasons for judgment were delivered orally by:

MATTHEWS, J.A.:


This is a Crown appeal against sentence. The respondent pled guilty to a charge of fraud concerning a substantial sum of money.


The experienced trial judge recognized the sentencing principles to be applied in this type of case. He properly stressed the exceptional circumstances here and the desire of the respondent to make full restitution. In so doing we cannot say that he erred in reaching his conclusion.

Although we grant leave to appeal we dismiss the appeal.


J.A.

Concurred in:

Hallett, J.A. 

Freeman, J.A. 

CANADA
PROVINCE OF NOVA SCOTIA
1991

IN THE SUPREME COURT OF NOVA SCOTIA
APPEAL DIVISION

on appeal from the
PROVINCIAL COURT

(10)

BETWEEN:

HER MAJESTY THE QUEEN

- and -

MARVIN HALLET ARMSTRONG

(20)

HEARD BEFORE: His Honour Judge J. A. MacLellan

PLACE HEARD: Kentville, Nova Scotia

DATE HEARD: February 7th, 1991.

CHARGE: Section 380(1)(a) C.C.C.

COUNSEL:

M. Bernadette Macdonald
for the Prosecution.

Faisal Joseph, Esq.
for the Defendant

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