

NOVA SCOTIA COURT OF APPEAL

Citation: *R. v. Symonds*, 2018 NSCA 34

Date: 20180424

Docket: CAC 464147

Registry: Halifax

Between:

Markeit Symonds

Appellant

v.

Her Majesty the Queen

Respondent

Restriction on Publication: s. 486.4(2) of the *Criminal Code*

Judge: The Honourable Justice Cindy A. Bourgeois

Appeal Heard: January 30 and 31, 2018, in Halifax, Nova Scotia

Subject: Validity of guilty plea

Summary: In Provincial Court, the appellant's lawyer entered a guilty plea on his behalf to a charge of procuring a person for sexual services. On appeal, the appellant challenges his conviction on the basis his plea was not valid and gave rise to a miscarriage of justice. He says he did not instruct counsel to plead guilty, and the plea was entered against his express wishes. In the alternative, the appellant argues that the plea was not voluntary nor informed.

Issues: An invalid plea will give rise to a miscarriage of justice. As such, the central issue for determination was whether the appellant's plea was unequivocal, voluntary and informed.

Result: Appeal dismissed. The plea was valid. It was unequivocal, voluntary and informed. The appellant's conviction did not

result in a miscarriage of justice.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 23 pages.