

SUPREME COURT OF NOVA SCOTIA

Citation: R. v. Coombs, 2005 NSSC 90

Date: 20050331
Docket: CR 216072
Registry: Halifax

Between:

Her Majesty the Queen

vs.

Michael T. Coombs

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Judge: The Honourable Justice Felix A. Cacchione

Heard: March 31st, 2005, in Halifax, Nova Scotia

Written Decision: April 21st, 2005

Subject: Sentencing for trafficking in crack cocaine.

Summary: Accused was a middle man in the sale of 50 grams of crack to a police agent. Accused was not a target of the undercover operation but was used as a means of getting to a named target.

Issue: Whether conditional sentence an appropriate penalty.

Result: Conditional sentence of 2 years less 1 day imposed. The normal range for such offence is 3-5 years barring exceptional circumstances. In this case the accused had been under release provisions amounting to house arrest for 2½ years prior to sentencing without incident. The deprivation of his liberty while on bail together with his minor role in the transaction constituted exceptional circumstances similar to those in *R. V. Messervey*.

THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.

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