

IN THE SUPREME COURT OF NOVA SCOTIA

Citation: R. v. Miller, 2005 NSSC 187

Date: 20050628

Docket: Cr. S.AT. No. 242511

Registry: Antigonish

Between:

Her Majesty the Queen

v.

John Russell Miller

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Judge: The Honourable Justice Douglas L. MacLellan

Heard: Tuesday, June 28, 2005

Subject: **Criminal Law - Sentencing - - Robbery**

Summary: **Fifty-three year old accused robbed a corner store by wearing a mask and in possession of a knife. He had a prior criminal conviction for theft of \$164,000.00 from employer. Crown requested four years jail and Defence requested conditional sentence.**

Issue: **What was appropriate sentence in circumstances?**

Result: **Accused sentenced to two years penitentiary and two years probation. Prior record for which he had received a conditional sentence significant factor in sentencing.**

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***