

SUPREME COURT OF NOVA SCOTIA

Citation: R. v. Stevens, 2010 NSSC 133

Date: 20100401
Docket: CR. No. 314200
Registry: Halifax

Between:

Her Majesty the Queen

-and-

Keith Gordon Stevens

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Judge: The Honourable Justice Robert W. Wright

Heard: April 1, 2010 in Halifax, Nova Scotia

Oral

Decision: April 1, 2010

Written

Decision: April 13, 2010

Subject: Sentencing for the offence of discharging a firearm with intent to wound or endanger life (s.244) and related offences - joint recommendation on sentencing.

Summary: The offender entered a plea of guilty to two counts of discharging a firearm with intent to wound or endanger life, unauthorized possession of a firearm in a motor vehicle and breach of probation. An agreed statement of facts was provided whereby the offender admitted shooting at two individuals who had surrounded his car in a parking lot outside a bar. One of these individuals was struck in the throat and seriously wounded and will require further surgery to maintain his ability to speak.

Counsel presented a joint recommendation that the offender be sentenced to a term of imprisonment of six years (less credit for time served on remand on a 2 for 1 basis), together with corollary orders authorizing the taking of a DNA sample and imposing a weapons prohibition ban under s. 109(2).

Issue: Whether joint recommendation should be accepted as a fit and proper sentence.

Result: The joint recommendation fell within the acceptable range of sentencing outcomes for the subject crimes under the guidance of the case authorities which the court was referred to. The joint recommendation was therefore accepted by the court, resulting in a further term of imprisonment of 42 months from the sentencing date onward.

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