

SUPREME COURT OF NOVA SCOTIA

Citation: R. v. Delorey, 2011 NSSC 319

Date: 20110810

Docket: CR Ant 312887

Registry: Antigonish

Between:

Her Majesty the Queen

v.

Kyle Anthony Delorey

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Judge: The Honourable Justice Glen G. McDougall

Heard: February 21, 22 and 23, 2011

Sentencing: August 10, 2011

Subject: Dangerous operation of a motor vehicle causing death: s. 249(4)CC
Dangerous operation of a motor vehicle causing bodily harm: s. 249(3)CC

Summary: The driver of a motor vehicle was convicted of dangerous operation of a motor vehicle causing death and a second count of dangerous driving causing bodily harm. It was his second trial on these charges. He was earlier convicted of both counts but the Nova Scotia Court of Appeal over-turned his conviction and ordered a new trial.

Issue: Appropriate sentence.

Result: The offender was sentenced to 26 months for dangerous driving causing death and 4 months consecutive on the second count of causing bodily harm. He received 3 months credit for the time served pending appeal. He was ordered to provide a DNA sample and his driving privileges were suspended an additional 5 years to commence on the day of his release from prison.

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