

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** *R. v. Smith*, 2014 NSSC 124

**Date:** 20140327

**Docket:** CRH 412257

**Registry:** Halifax

**Between:**

Her Majesty the Queen

v.

Dylan Robert Smith

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**Judge:** The Honourable Justice Peter P. Rosinski

**Sentencing date:** March 27, 2014 in Halifax, Nova Scotia

**Subject:** **Criminal Law; Sentencing**

**Summary:** The offender pleaded guilty to various weapons possession, storage, and carriage offences under ss. 86(2), 88(1), 90, 92(1), and 96(1) of the *Criminal Code*, as well as one count of possession of marijuana for the purpose of trafficking under s. 5(2) of the *Controlled Drugs and Substances Act*. In addition to the marijuana, a search executed on his residence disclosed possession of a metal shank, 15 rounds of .32 calibre ammunition in a safe, five rounds of .32 ammunition and a five shot .32 calibre revolver in a bedroom. This was a first offence, and the offender was youthful, being 21 years old at the time of sentencing. He left school after grade 10. Prior to the charges he had worked full-time stocking shelves in a supermarket. Subsequently he had worked in several temporary jobs. The sentencing judge concluded that the offenders “survivalist”-type beliefs gave him the idea that he was only doing what was necessary to survive in society. The pre-sentence report was generally positive. There was a joint sentencing recommendation before the court.

**Result:**

The sentencing judge accepted the joint recommendation, sentencing the offender to two years' imprisonment in a federal penitentiary followed by 12 months' probation. There was a mandatory ten-year *Criminal Code* firearms prohibition order and a forfeiture order in respect of exhibits seized in the police investigation. The sentencing judge recommended that the offender be considered for education and employment training during his sentence.

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