

**CASE NO.**

**VOL. NO.**

**PAGE**

STACEY EUGENE BEALS

HER MAJESTY THE QUEEN

- and -

(Appellant)

(Respondent)

CAC 157138

Halifax, N.S.

**BATEMAN, J.A.**

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[Cite as: R. v. Beals 2000 NSCA 43]

**APPEAL HEARD:**

March 21, 2000

**JUDGMENT DELIVERED:**

March 31, 2000

**SUBJECT:** Sentence appeal.

**SUMMARY:** The appellant was found guilty, after trial, of two counts of unlawful confinement (s.279(2), **Criminal Code**), assault (s.266) and carrying a weapon dangerous to the public peace (s.87(1)). He pleaded guilty to escaping lawful custody (s.145(1)(a)). The Judge imposed sentences of eighteen months for escaping lawful custody, six months concurrent on each of the two counts of unlawful confinement, three months consecutive on the assault and nine months consecutive on the weapons charge. The total term of imprisonment was thirty months. A co-accused, who had a lesser record, received the same total sentence.

**ISSUES:** The appellant, who represented himself on the appeal, submitted that “a sentence of thirty months offends the principle against disparate sentences, and, as well, is far beyond the range for prison break which has been established by the courts over the years.”

**RESULT:** In view of Mr. Beals' record of seventeen prior convictions, a total sentence of thirty months for these five offences is not “demonstrably unfit”. Nor are the sentences, either individually or in total, out of line

with those which have been granted for similar offences where the offender has a comparable record of convictions.

**This information sheet does not form part of the court's decision. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 3 pages.**