

**CASE NO.**

Cite as: R. v. Johnson, 1997 NSCA 201

**VOL. NO.**

**PAGE**

ANTHONY VINCENT JOHNSON

- and -

HER MAJESTY THE QUEEN

Appellant

Respondent

C.A.C. No. 138007

Halifax

CHIPMAN, J.A.

**APPEAL HEARD:**

November 25, 1997

**JUDGMENT DELIVERED:**

December 2, 1997

**SUBJECT:**

**CRIMINAL LAW - SENTENCING - Fitness of sentence  
CRIMINAL LAW - SENTENCING - Order for no parole for  
one-half of sentence pursuant to s. 743.6(1) of the Criminal  
Code**

**SUMMARY:**

The appellant appealed from sentences totalling 15 years for armed robbery, possession of a weapon for a purpose dangerous to the public peace and operating a motor vehicle in a manner dangerous to the public causing bodily harm. He had a lengthy record, having spent most of the last 30 years in jail.

**ISSUE:**

Whether the trial judge erred in stating and applying the proper principles of sentencing and in properly applying s. 743.6(1) of the **Criminal Code**.

**RESULT:**

The Court of Appeal reviewed the circumstances of the offence and the offender and concluded that the trial judge did not err in applying the principles of sentencing or in making an order pursuant to s. 743.6 of the **Criminal Code**.

**THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION. QUOTES MUST BE FROM THE DECISION, NOT FROM THIS COVER SHEET. THE FULL COURT DECISION CONSISTS OF 5 PAGES.**

