

**PROVINCIAL COURT OF NOVA SCOTIA**

**Citation:** *R. v. Thomas*, 2012 NSPC 107

**Date:** November 13, 2012

**Docket:** 2518579, 2518580, 2513440  
2513441, 2513443, 2513445

**Registry:** Pictou

**Between:**

Her Majesty the Queen

v.

Clayton Anthony Thomas

**Judge:**

The Honourable Judge Del W. Atwood

**Heard:**

November 13, 2012, in Pictou, Nova Scotia

**Charge:**

Section 733.1 (3 counts) 266CC, 264.1(1)(b)CC,  
279(2)CC

**Counsel:**

William Gorman, for the Nova Scotia Public Prosecution  
Service  
Douglas Lloy, Nova Scotia Legal Aid, for the Clayton  
Anthony Thomas

**ORALLY:**

[1] The Court has for sentencing Clayton Anthony Thomas. Mr. Thomas has entered guilty pleas at a very early opportunity in relation to charges from this judicial centre, from the 15<sup>th</sup> to the 17<sup>th</sup> of September, 2012, as well as matters transferred in from the Sydney judicial centre arising from the 11<sup>th</sup> of October of 2012.

[2] The Court is satisfied that the joint submission takes into account the principles of sentencing. It is consistent with sentences imposed in this judicial centre, including *R. v. Dean* 2011 NSPC 40, and the Court intends to give effect to the joint submission; therefore, the sentence of the Court will be as follows:

[3] In relation to case #2513440, a count of section 266CC, there will be a sentence of four (4)-months' imprisonment, and that will be the base sentence.

[4] Case #2513441, a charge of uttering threats, there will be a sentence of four (4)-months' imprisonment, to be served consecutively.

[5] Case #2513443, a charge of unlawful confinement, a four (4)-month consecutive sentence.

[6] Case #2513445, a charge of breach of probation, a four (4)-month consecutive sentence.

[7] Case #2518579, a charge of breach of probation, a four (4)-month consecutive sentence.

[8] Finally, case #2518580, a charge of breach of probation, a four (4)-month-plus-one-(1) day consecutive sentence, for a total of twenty-four (24) months plus one (1) day imprisonment, which I believe gives effect to the joint submission.

[9] In addition, although not sought, I believe it is in the interests of justice and necessary for the protection and safety of the victim that the warrant of committal be endorsed in accordance with the provisions of section 743.21 of the *Criminal Code*. Mr. Thomas is to have no contact or communication, either directly or indirectly, with Kayla Jane Elizabeth Earle.

[10] Mr. Thomas, I'll have you accompany the sheriffs please, sir.

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J.P.C.