

**File No: 164104-1
Registry: Vancouver**

In the Provincial Court of British Columbia

REGINA

v.

MILES ADREAN MITCHELL

**REASONS FOR SENTENCE
OF
THE HONOURABLE JUDGE MAUGHAN**

COPY

Crown Counsel: L. Newby

Defence Counsel: M. Mines

Place of Hearing: Vancouver, B.C.

Date of Judgment: May 26, 2005

[1] THE COURT: Mr. Mitchell, would you stand up, please. I am in agreement with the submission made by your counsel that it would be in furtherance of rehabilitation of yourself and also in the best interest of the community that you be allowed to continue working.

[2] The question is how much supervision of you in the community is required to ensure that things continue to go well for you? It seems to me that you are dealing with things fairly well on your own, that you have abided by the terms of your bail release for now a number of months, that you have managed to deal with a heroin problem of long standing, and that you are now working on reducing entirely and eventually eliminating all drug use. So, I do not think you need to be supervised in the community.

[3] There will be a suspended sentence with a period of probation for six months with these terms and conditions: that you keep the peace, be of good behaviour, and appear before this court when required to do so by the court.

[4] I have also, in my decision, taken into consideration the fact that you have entered a guilty plea and that you spent two days in custody upon arrest. So, there will be no victim fine surcharge, and pursuant to s. 109 of the **Criminal Code**, you are hereby prohibited from having in your possession any

firearms, ammunition, explosive substances, including any crossbow, for a period of 10 years, and to forfeit any such items of that nature that you have in your possession forthwith.

(REASONS FOR SENTENCE CONCLUDED)