

CITATION: R. v. Sirois, 2011 ONCA 370

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COURT OF APPEAL FOR ONTARIO

Laskin, Feldman and MacPherson JJ.A.

BETWEEN

Her Majesty the Queen

Respondent

and

Michael Eric Sirois

Appellant

Monte MacGregor, for the appellant

Greg Skerkowski, for the respondent

Heard: May 6, 2011

On appeal from the sentence imposed on April 14, 2008 by Justice Patrick J. Flynn of the Superior Court of Justice, sitting without a jury.

APPEAL BOOK ENDORSEMENT

[1] The appellant pleaded guilty to a four-count indictment charging him with two counts of second degree murder and two counts of aggravated assault. The trial judge sentenced him to life imprisonment with no possibility of parole for 21 years.

[2] The appellant appeals the parole ineligibility component of the sentence. He submits that a period in the range proposed by the Crown, 16–18 years, is the appropriate period.

[3] Despite Mr. MacGregor's very able argument, we cannot agree with the appellant. In particular, we do not agree that the trial judge unreasonably over-emphasized the brutality of the crimes, or described them in overly emotional language. Reading the reasons as a whole it is evident that the trial judge did not consider the Crown's position on parole to reflect a fit period of ineligibility.

[4] The considerations listed by Mr. Skerkowski at para. 37 of his factum, with which we agree, justified a 21-year period of parole ineligibility.

[5] The appeal is dismissed.