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COURT OF APPEAL FOR ONTARIO

RE: HER MAJESTY THE QUEEN (Respondent) – and –
DOUGLAS SMITH (Applicant/Appellant)

BEFORE: DOHERTY, SHARPE and SIMMONS JJ.A.

COUNSEL: Maureen McGuire for the appellant
Melissa Ragsdale for the respondent

HEARD: January 9, 2004

On appeal from the sentence of Justice Donald G. Fraser of the Ontario Court of Justice dated October 8, 2002.

ENDORSEMENT

[1] Counsel concedes there is no error in principle. The sentence is stern but we cannot argue that it is manifestly unreasonable. The fresh evidence indicates that the appellant's rehabilitation is a work in progress and tends to show the wisdom of the trial judge's sentence. Leave to appeal granted, appeal dismissed.