



**IN THE COURT OF APPEAL
OF NEWFOUNDLAND AND LABRADOR**

Citation: *R. v. Stokes*, 2019 NLCA 62

Date: September 24, 2019

Docket Number: 201901H0073

BETWEEN:

WILSON STOKES

APPLICANT

AND:

HER MAJESTY THE QUEEN

RESPONDENT

Coram: Welsh J.A.

Court Appealed From: Provincial Court of Newfoundland and Labrador
St. John's

Application Heard: September 24, 2019

Decision Rendered: September 24, 2019

Counsel for the Appellant: Self Represented

Counsel for the Respondent: Dana E. Sullivan

Welsh J.A.

[1] On March 7, 2018, Wilson Stokes pleaded guilty to and was convicted of robbery, two counts of uttering a threat to cause death or bodily harm, breach of a recognizance, assault with a weapon, and assault. He was sentenced to a total

of four years imprisonment. He applies for an extension of time to file a notice of appeal against the conviction for robbery on the basis that the victim, whom he knows, told him that he had lied about Mr. Stokes being the robber.

[2] Mr. Stokes' reliance on a possible change in the victim's story is not of assistance to him. Because Mr. Stokes pleaded guilty to the charge and admitted all the elements of the offence in the agreed statement of facts on which the conviction was based, no witnesses, including the victim of the robbery, were required to give evidence. In the circumstances, the trial judge properly relied on Mr. Stokes' admission that he had committed the robbery. There was no error.

[3] When he accepted the plea bargain offered by the Crown, Mr. Stokes, who took advantage of a significant reduction in sentence, voluntarily admitted, in writing, that he had committed each offence, including the robbery. He was advised regarding the conditions for accepting a guilty plea pursuant to section 606(1.1) of the *Criminal Code*, which provides:

A court may accept a plea of guilty only if it is satisfied that the accused

(a) is making the plea voluntarily; and

(b) understands

(i) that the plea is an admission of the essential elements of the offence,

(ii) the nature and consequences of the plea, and

(iii) that the court is not bound by any agreement made between the accused and the prosecutor.

[4] In the result, I am satisfied that there is no merit to Mr. Stokes' appeal. Accordingly, the application for an extension of time to file a notice of appeal is dismissed.

B. G. Welsh J.A.