

CANADA / JUDGMENT

R. v. Batisse

2026 ONCA 7

COURT

Court of Appeal for Ontario

DECIDED

8 January 2026

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R. v. Batisse Collection Decisions of the Court of Appeal Date 2026-01-08 Neutral citation 2026 ONCA 7 Docket numbers COA-25-CR-0662 Judges Lauwers, Peter D.; Sossin, Lorne; Pomerance, Renee M. Subject Criminal Decision Content COURT OF APPEAL FOR ONTARIO CITATION: R. v. Batisse, 2026 ONCA 7 DATE: 20260108 DOCKET: COA-25-CR-0662 Lauwers, Sossin and Pomerance JJ.A. BETWEEN His Majesty the King Respondent and Amanda Lee Batisse Appellant Amanda Lee Batisse, acting in person Étienne Lacombe, for the respondent Heard: January 6, 2026 On appeal from the sentence imposed by Justice Joseph G.R. Maille of the Ontario Court of Justice on February 4, 2025. REASONS FOR DECISION

- [1] Ms. Batisse's sentence appeal was dismissed with reasons to follow. These are the reasons.
- [2] Ms. Batisse was convicted of attempted murder using a prohibited firearm, contrary to s. 239(1)(a) of the Criminal Code, R.S.C. 1985, c. C-46. She was sentenced to five years in prison. Her co-accused Ronald Bluebird, who was the shooter, was sentenced to eight years. She made one argument in her notice of appeal and another in her oral submissions. First, she argued that the sentence is disproportionately high. As she put it in her notice of appeal: "I did not pull the trigger, my co-accused did he got 8 [years], If he took responsibility for his actions why must I also be convicted, when only one person can pull the trigger to one gun." Second, in oral argument she pointed out that no Gladue report was obtained, and that with one she might have drawn a lower sentence.
- [3] The facts are these.
- [4] In September 2024, the victim attended the residence of Deanna Ramthun, where drugs and alcohol were consumed. At some point Ms. Ramthun became upset with the victim, accusing him of taking her cigarettes. She yelled at him to get out of her house and threw his cellphone. After she calmed down, she told the victim to stay. The victim stayed at the residence by himself, and Ms. Ramthun left.
- [5] Ms. Ramthun subsequently returned in her car with Ronald Bluebird and the appellant. Mr. Bluebird and Ms. Batisse then entered Ms. Ramthun's residence where the victim was watching TV alone. Mr. Bluebird was carrying a sawed-off single-shot 20-gauge shotgun. Ms. Batisse tied the victim's hands behind his back with some plastic tie wraps.

- [6] The victim was then escorted outside by Ms. Batisse, followed by Mr. Bluebird. Mr. Bluebird was still holding the sawed-off shotgun. Once outside, the victim was able to break his wrist free. He pushed Ms. Batisse and ran towards a neighbour's house. Once in the neighbour's front yard he turned to face Mr. Bluebird and Ms. Batisse, who were walking towards him. Ms. Batisse lit up the victim with a flashlight. When the victim wouldn't comply with Mr. Bluebird's requests to "Get over here", Mr. Bluebird raised his shotgun and pointed it at the victim. The victim then began to run away. Mr. Bluebird fired a single shot at the victim. The victim was hit in the back and arms with over 65 birdshot shotgun pellets.
- [7] After Mr. Bluebird shot the victim, he and Ms. Batisse ran towards Ms. Ramthun's awaiting car. Ms. Ramthun, Mr. Bluebird, and Ms. Batisse then drove away in the car. The three discarded the shotgun, shotgun shells, and gloves in a nearby cemetery. They were later stopped and arrested. A. The Proportionality Argument [8] The sentence was imposed pursuant to a joint submission by the Crown and the defence. The sentencing judge accepted the joint submission despite his concerns, including the aggravating factors and the sentence being at the very low end of the range. He was not satisfied that the test to reject a joint submission was met.
- [9] The sentencing judge discussed the seriousness of the offence, noting that it was near the most serious offence in the Criminal Code, and that it was only the result of chance that the attempt did not succeed. He also took into account Ms. Batisse's lengthy criminal record, which included a handful of lower end violent offences. He noted that there was nothing in Ms. Batisse's criminal record that came close to the seriousness of this offence. Mitigating factors included the early plea of guilt and that Ms. Batisse's involvement was lesser than that of one co-accused.
- [10] The sentencing principle of proportionality is expressed in s. 718.1 of the Criminal Code: "A sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender."
- [11] The sentencing judge respected the principle of proportionality. He recognized that the offence was "extremely serious." But he also said: "I understand from submissions and the circumstances, the facts were read in, that your level of involvement was lesser than that of at least one co-accused. Well, one co-accused, to be more precise." We see no error in his reasons. B. The Absence of a Gladue Report [12] As noted, Ms. Batisse argued that a Gladue report might have assisted her in getting a lower sentence. There was a discussion about a Gladue report in the sentencing submissions. Ms. Batisse's counsel commented: Just flowing from what my friend said, I, I don't rise to disagree with them, it is a minimum sentence 239(1)(a) where [a] prohibited or restricted firearm is used, the minimum is five years. Which is why I said, and I should've extrapolated a bit more on this, I didn't think [Gladue] factors would get us any better than the minimum sentence.
- [13] We agree. As the sentencing judge recognized, given the use of a prohibited firearm, this sentence was "effectively the statutory minimum." C. Conclusion [14] The sentence was fit.

[15] We encourage Ms. Battise to continue with her good progress as she approaches her parole eligibility date in April 2026. “P. Lauwers J.A.” “L. Sossin J.A.” “R. Pomerance J.A.”

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