

CANADA / JUDGMENT

R. v. Crowe

2025 BCCA 469

COURT

British Columbia Court of Appeal

DECIDED

3 December 2025

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2025 BCCA 469 R. v. Crowe COURT OF APPEAL FOR BRITISH COLUMBIA Citation: R. v. Crowe, 2025 BCCA 469 Date: 20251203 Docket: CA49556 Between: Rex Respondent And David Francis Crowe Appellant Before: The Honourable Justice Riley The Honourable Justice Edelmann The Honourable Justice Mayer On appeal from: An order of the Provincial Court of British Columbia, dated December 8, 2021 (conviction) (R. v. Crowe, North Vancouver Docket 68150-1). Oral Reasons for Judgment No one appearing on behalf of the Appellant Counsel for the Respondent: M. Shah Place and Date of Hearing: Vancouver, British Columbia December 3, 2025 Place and Date of Judgment: Vancouver, British Columbia December 3, 2025 Summary: The appellant entered guilty pleas to the offences of fraud and personation. The sentencing judge subsequently dismissed the appellant's application to strike the guilty pleas, and imposed a six-month conditional sentence, followed by six months of probation. The appellant filed an appeal from conviction, but took no steps to prosecute it. Following multiple case management conferences, the appellant was informed that if he did nothing to advance his appeal, it would be subject to dismissal. More than one year later, no further steps have been taken. The appeal is dismissed for want of prosecution.

- [1] RILEY J.A.: This is an application to dismiss a conviction appeal for want of prosecution.
- [2] The convictions in question relate to offences of fraud and personation that date back to 2019. Mr. Crowe entered guilty pleas in Provincial Court and later applied to strike those pleas. The application to strike the pleas was dismissed in reasons given by the trial judge, and Mr. Crowe was ultimately sentenced on 7 December 2023 to serve a six-month conditional sentence followed by a six-month probation order.
- [3] Mr. Crowe then filed an appeal from conviction on 22 December 2023, seeking to set aside the conviction and challenging the judge's ruling refusing to revisit his guilty plea. There were case management appearances before the Registrar in February, April, and August of 2024. On the last of those appearances, Mr. Crowe was advised that if he did not take steps to prosecute his appeal it could be dismissed for want of prosecution.

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- [4] The only step that has happened in the appeal as far as I am aware is that the notice of appeal has been filed. It has now been more than one year since the last case management appearance in August 2024, and no further steps have been taken. The sentence has been served. In all the circumstances, I am satisfied that this appeal should be dismissed for want of prosecution.
- [5] EDELMANN J.A.: I agree.
- [6] MAYER J.A.: I agree.
- [7] RILEY J.A.: The appeal is dismissed. "The Honourable Justice Riley"
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Prepared on 27 October 2026 · Esheria