

CANADA / JUDGMENT

R. v. Sequeira

2025 ONCA 782

COURT

Court of Appeal for Ontario

DECIDED

18 November 2025

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R. v. Sequeira Collection Decisions of the Court of Appeal Date 2025-11-18 Neutral citation 2025 ONCA 782 Docket numbers COA-24-CR-0682 Judges Huscroft, Grant; George, Jonathon C.; Gomery, Sally A. Subject Criminal Decision Content COURT OF APPEAL FOR ONTARIO CITATION: R. v. Sequeira, 2025 ONCA 782 DATE: 20251118 DOCKET: COA-24-CR-0682 Huscroft, George and Gomery JJ.A. BETWEEN His Majesty the King Respondent and Belden Sequeira Appellant Ben Wilson, for the appellant Bryan Guertin, for the respondent Heard: November 10, 2025 On appeal from the sentence imposed by Justice Nathan N. Baker of the Ontario Court of Justice on June 7, 2024. REASONS FOR DECISION

- [1] The appellant pleaded guilty and was sentenced to a term of 30 months' imprisonment following his conviction on one count of luring a child under the age of 16. He seeks leave to appeal sentence.
- [2] The facts may be stated briefly. The appellant initiated a conversation on Grindr, an app for men seeking men, with a user, "Young N Fresh", who had a young-looking boy as his profile photo. Young N Fresh informed the appellant that he was a 14-year-old boy named Cody, but in fact he was an undercover police officer. The appellant was then 21 years old but said that he was a 17-year-old high school student named Conrad. The appellant exchanged messages with Cody on Snapchat, a messaging and photo-sharing app characterized by only temporarily accessible communications. He sent pictures of his penis and anal region and requested pictures of Cody's penis. Over the next three days he discussed oral and anal sex with Cody, eventually arranging to meet near a high school. The appellant brought a pillow, condoms, and personal lubricant to the meeting, where he was arrested.
- [3] The appellant argues that the sentencing judge erred in principle by failing to give adequate weight to his youth and the fact that he was a first-time offender. We do not agree. The sentencing judge was well aware of the appellant's circumstances and their mitigating effect. His reasons disclose no error in principle and his decision is entitled to deference. It is not for this court to reweigh the considerations on appeal.

- [4] There is also no basis to conclude that the sentence imposed was demonstrably unfit. This was a serious offence and the aggravating factors were considerable: the appellant understood that Cody was 14 years old; corresponded with him over several days; attempted to deceive him by claiming to be a 17 year-old student and using a fake name; sent sexually explicit pictures of himself; solicited the same from Cody; and arranged to meet with Cody in order to sexually abuse him. In these circumstances a carceral sentence was required. As the Supreme Court noted in *R. v. Friesen*, 2020 SCC 9, [2020] 1 SCR 424, sentences for sexual offences against children must increase. Denunciation and deterrence are to be prioritized. The 30-month sentence imposed in this case is within the range this court has identified in cases such as *R. v. M.V.*, 2023 ONCA 724, 169 O.R. (3d) 321 and *R. v. Dunnett*, 2025 ONCA 392, 177 O.R. (3d) 430.
- [5] Accordingly, leave to appeal sentence is granted, but the appeal is dismissed. “Grant Huscroft J.A.” “J. George J.A.” “S. Gomery J.A.”

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