

JERSEY / JUDGMENT

AG -v- Mendes [2005] JRC 091 (06 July 2005)

[2005] JRC 091

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JUDGMENT

THE DEPUTY BAILIFF: 1. This defendant was found in possession of 5.14 grams of heroin of which two and half were for onward supply and the rest was for his own use. The defendant is a heroin addict and no doubt he intended to sell the drugs to fund his own habit. He has an appalling record although there are only two previous offences for drugs. 2. The Crown has suggested a starting point of 7 years. This is not disputed by the defence and we agree it is the correct starting point. In mitigation the defendant has pleaded guilty and he is entitled to a full credit for that. There is, in addition, residual youth and the contents of the Social Enquiry Report. Nevertheless, we are satisfied that the Crown has made sufficient deduction for these matters and in the circumstances we agree the conclusions. 3. The sentence is therefore 4½ years' imprisonment on Count 2, and 2 years' imprisonment on Count 1, to run concurrently. We order the forfeiture and destruction of the drugs. 4. The Crown said it had carefully considered whether to apply for recommendation for your deportation, but had decided not to do so; but you must realise that where non-nationals commit serious offences then there is a risk of a recommendation for deportation. Authorities Rimmer, Lusk & Bade -v- A. G. [2001]JLR373. A. G. -v- Banach (4th January, 2001) Jersey Unreported [2001]1. A. G. -v- Viveiros (19 th February 2001) Jersey Unreported [2001]42. A. G. -v- Bisson (6 th February, 2004) Jersey Unreported [2004]JRC024. Page Last Updated: 14 Jul 2016 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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