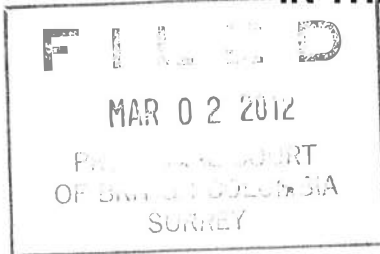


Citation: ☼

Date: ☼  
File No: 179775-2-KC  
Registry: Surrey

**IN THE PROVINCIAL COURT OF BRITISH COLUMBIA  
(CRIMINAL DIVISION)**



**REGINA**

v.

**CHRISTOPHER OWEN MCCOY**

**REASONS FOR JUDGMENT  
OF THE  
HONOURABLE JUDGE JOHN J. LENAGHAN**

Counsel for the Crown:

A. Jantunen

Counsel for the Defendant:

D. Magnus

Place of Hearing:

Surrey, B.C.

Dates of Hearing:

August 10, September 12, November 22, 2011

Date of Judgment:

March 2, 2012

## 1. The Charges

[1] The defendant, Christopher Owen McCoy, stands charged of two offences. First, that he assaulted the complainant, Sherilynn Dennett on December 29, 2009 at or near Langley, B.C. and second, that on the same date he knowingly uttered a threat to Ms. Dennett to cause her death or bodily harm.

## 2. The Witnesses

[2] The Crown called three witnesses: the complainant, the complainant's daughter, Kayla Woodason and Isabel Mundie, the defendant's aunt.

[3] The defendant testified but called no witnesses.

## 3. The Evidence of the Crown

### (a) Sherilynn Dennett

[4] She is 40 years-old and works as a hairstylist and aesthetician.

[5] She began a romantic relationship with the defendant in 2006 and moved into a townhouse in Langley with him in June, 2008.

[6] They had jointly entered into a "rent to own agreement" with regard to the townhouse and expected to acquire full ownership in two years.

[7] Her relationship with the defendant encountered problems in the summer of 2008 and they ended their relationship in August, 2009 after she had caught the defendant using narcotics. She told him at that time that the relationship was finished. However,

they continued to reside together in the townhouse because of the "rent to own" agreement.

[8] On December 29, 2009, her daughter Kayla Woodason, and the latter's boyfriend, Steven Monk, came to the townhouse for a Christmas dinner and to exchange gifts.

[9] She had advised the defendant of the dinner some days earlier and he had reacted nonchalantly to the news.

[10] She arrived home from work at around 4.30 p.m. on December 29<sup>th</sup>. The defendant was at home and was drinking rye and coke when she came home. She could tell that he had been drinking. She had a glass of wine before dinner and another glass at dinner.

[11] As she was putting away groceries and starting to prepare the dinner the defendant asked her whether he should be on his best behaviour during dinner or "should I be a fucking dink tonight?"

[12] She rolled her eyes and told the defendant that his question was "silly." She thought to herself "...are we gonna start to have a yelling match again?"

[13] It was not unusual for the defendant to make such a comment.

[14] Her daughter and Monk arrived around 7.30 p.m.

[15] At dinner, the defendant was "fairly quiet" while she and the others carried on conversation. He did, however, mumble and roll his eyes. She sensed, from his mood, that "anything would set him off."

[16] After dinner, which had lasted for about one hour, she exchanged cards and gifts and played a game of Crib with her daughter and Monk in the dining room.

[17] The defendant was in the living room while they exchanged gifts but, at one point, he returned to the kitchen and poured himself a drink. As he was leaving the kitchen he noticed the gifts. He turned around, gave her "the finger" and called her a "fucking bitch."

[18] She and her daughter simply rolled their eyes at this remark and made no response to it.

[19] She drank a glass or two of wine while she was with her daughter and her daughter's boyfriend. She had seen the defendant consume three drinks that night and when he gave her "the finger" he was, in her opinion "starting to get drunk."

[20] Her daughter and Monk went home somewhere between 11.00 p.m. and 11.30 p.m. After they left she went and collected her dogs and took them outside "for a pee."

[21] While she was outside the defendant appeared and started yelling at her, calling her "a fucking bitch" and "a fucking cunt." He told her to "get the fuck out of the house." He came very close to her face as he made these comments. He did not say why he was angry with her.

[22] She responded "Don't worry... I'm fucking out of here." She felt frightened.

[23] The defendant grabbed the dogs and went back inside the residence. He locked the door from inside.

[24] This was something he had done to her on many other occasions and she had taken to keeping a key to the door in her brassiere.

[25] She could see from the defendant's shadow that he was standing inside the doorway and, in order to avoid him, she walked to the back of the property and hid behind a wall. She could see that the defendant had come outside the residence and was looking for her. He then went back inside and locked the door.

[26] She then went to the front door, "quickly unlocked it and ran up to - - up to get my personal stuff."

[27] She attempted to go upstairs to her bedroom but at the top of the first flight, at the level of the kitchen and living room, the defendant grabbed her by her left shoulder and then tripped her. She fell to the ground and landed on her tailbone.

[28] She suffered bruising to her buttocks and tailbone as a result of falling. She agreed that she bruised easily.

[29] The defendant had been hiding behind a half-wall. She is five feet three inches tall and believes that the wall came to her waist.

[30] As he grabbed her the defendant again called her a "fucking bitch" and an "ungrateful bitch" and told her to leave the house.

[31] She asked the defendant to allow her to get up and retrieve her belongings. She told him that she intended to leave.

[32] After she got on her feet the defendant called her and her daughter "fucking bitches." He said "Your daughter is ungrateful, you don't give a shit... about me, don't give a shit about anything..." He kept bumping against her shoulder with his shoulder as she sought to make her way to the stairs.

[33] The defendant had made comments like this to her frequently throughout their relationship but had never assaulted her before.

[34] She went up a couple of stairs but then the defendant pulled her off the staircase and grabbed first her throat and then her hair. He used sufficient force to lift her off the stairs and pull her to the floor.

[35] The defendant said "you're fucking dead" as he grabbed her hair. He also said that "he would get the Hell's Angels after me."

[36] She picked herself up and went to the stairs. She walked up but was grabbed again by the neck. She lost her balance and fell backwards onto a couch with the defendant on top of her. He still had both of his hands around her neck.

[37] The defendant was strangling her and saying "you're fucking dead." She replied that her parents and the defendant's father would be proud "knowing that you did this to me."

[38] She started to see “little lights, like it was starting to get a little dark around me, like tunnel vision.” She was having trouble breathing and starting to lose consciousness when she “sensed this strength come over me all of a sudden.” She got her right arm “up and away” from the defendant and then punched him in the face and kicked him in the groin even though “his whole body was down on me.”

[39] At that point her legs were hanging over the arm of the couch and the defendant was pinning her down with his legs.

[40] In cross-examination she stated that she kicked the defendant after he “kind of like stood up.”

[41] She injured the ring-finger of her right hand when she punched the defendant.

[42] After she punched and kicked the defendant he appeared startled. He stood up and appeared to be in shock. She was able to run off to her bedroom. Once inside she sent a text-message, “Come back. Help.” to her daughter. The latter texted her back and asked what was happening. She responded by texting “Just come here.”

[43] The defendant then entered the bedroom and stood saying nothing. She once again said that she was leaving the residence. She also asked the defendant why he had assaulted her. She was “crying, hysterical, scared, nervous, anxious.”

[44] The defendant began to cry and said “...you know why. If your daughter hadn’t given you that card, she didn’t even write my name on it.” He was upset that he had not received any Christmas gifts and that the card she had received from her daughter had not mentioned him.