

IN THE COURT OF APPEAL OF MANITOBA

Coram: Mr. Justice Marc M. Monnin
Mr. Justice Christopher J. Mainella
Mr. Justice David J. Kroft

BETWEEN:

<i>HIS MAJESTY THE KING</i>)	<i>A. S. Pinx</i>
)	<i>for the Appellant</i>
<i>Respondent</i>)	
)	<i>M. Moorthy</i>
<i>- and -</i>)	<i>for the Respondent</i>
)	
<i>LOGAN WISHNOWSKI</i>)	<i>Appeal heard and</i>
)	<i>Decision pronounced:</i>
<i>(Accused) Appellant</i>)	<i>April 24, 2026</i>

MAINELLA JA (for the Court):

[1] The accused seeks leave to appeal his sentence and, if granted, appeals his sentence of seven and one-half years' imprisonment arising from his guilty pleas to (1) possession of three loaded prohibited or restricted firearms, which were handguns; (2) possession of cocaine for the purpose of trafficking, for which he received a concurrent sentence of six years; and (3) possession of seven non-restricted firearms without a licence, for which he received a concurrent sentence of five years.

[2] The accused was operating a street-level trafficking operation out of his residence in Winnipeg. A search warrant was executed in his residence and police seized drugs and firearms, as well as ammunition and body armour,

which were tools of his drug trade. The accused was twenty-nine years old at the time of the offences and did not have a prior criminal record.

[3] The accused says the sentencing judge overemphasized the aggravating factors and failed to place sufficient weight on the mitigating factors and the principles of restraint, rehabilitation and parity, and, as a result, imposed a demonstrably unfit sentence. He says his sentence should be varied to one of five years on the firearms offences and four years concurrent on the drug offence.

[4] We disagree. An appeal is not an opportunity to re-weight the relevant sentencing factors differently in light of the circumstances of the offence and the offender. While the sentence imposed was at the high end of the applicable range for a street-level trafficker possessing multiple firearms for their criminal endeavours, we cannot say it was arrived at by a material error or was otherwise unfit.

[5] In the result, leave to appeal is granted, but the sentence appeal is dismissed.

Mainella JA

Monnin JA

Kroft JA