

# Sitter to stand trial for toddler's death



Michael Lea/The Whig-Standard

Cheryl Ann Larsen is led into court last December. Larsen faces manslaughter charges in a 22-month-old boy's death.

## Charge reduced to manslaughter

By Sue Yanagisawa  
Whig-Standard Staff Writer

**A** KINGSTON WOMAN CHARGED IN the death of a 22-month-old boy she was babysitting will stand trial for manslaughter.

Cheryl Ann Larsen, 33, was originally charged with aggravated assault but that offence was withdrawn and replaced with second-degree murder after Brody Mitchell Albert died in hospital Dec. 8, 2002, in his parents' arms.

Larsen, 33, the mother of three young boys, had been babysitting Brody two days earlier when he suffered severe head injuries and was taken to hospital by ambulance.

After listening to more than three days of testimony this week at Larsen's preliminary hearing, Mr. Justice Paul Megginson ordered her tried on the lesser and included offence of manslaughter.

To support a second-degree murder charge, the Crown would have had to produce evidence that Brody's death was intentional or that Larsen intended to seriously injure him and was reckless, knowing his death would be a likely outcome of that injury.

Throughout the hearing, Larsen, sat quietly in the front row of the spectators' gallery behind her lawyers, Peter Kemp and Clyde Smith. She was flanked by her husband, an aunt, other relatives

and a few supporters.

Evidence given at the hearing and submissions made cannot be reported under a court-ordered publication ban.

Brody's grandmother and a family friend sat across the aisle, behind Crown attorney Bruce Griffith and assistant Crown attorney Laurie Lecelle. The proceedings drew only a scattering of other spectators.

The case now moves to pretrial discussions, a process where the lawyers are encouraged, with the help of a judge, to settle procedural and other issues before a trial date is set.

Those discussions, held in private, are scheduled to begin Dec. 16.