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Felipe Figueiredo

**Preston Crown Court
Sentencing Remarks of Mr Justice Bryan
26 January 2024**

1. Felipe Figueiredo, you have been found guilty of the murder of 15 year old Dylan Bragger, and I must now sentence you for this brutal murder.
2. When I make factual findings in these sentencing remarks I am satisfied so that I am sure of such facts having presided over your trial and seen the overwhelming evidence against you.
3. On the evening of 29 June 2023, in a wooded area by the side of the Digmaor Road dual carriageway close to the M58 motorway, you took the life of a young man who had his whole life ahead of him, murdering him in what can only be described as a frenzied attack, stabbing him with a knife more than 23 times.
4. The only eye witness, Keagan Lyon, who videoed you on his phone as you brandished the knife at him in the immediate aftermath of your murder of Dylan, called you “an animal, an f.ing animal” who he described as “butchering” his young cousin, encapsulating in one brief phrase exactly what he had just witnessed you doing, and at a time when he was clearly deeply affected by the events he had witnessed. Such description has the hallmark of truth about your conduct on that evening. Your account of events that night does not.
5. I mention 23 stab wounds because out of all the stab wounds you inflicted upon Dylan, the consultant forensic pathologist Dr Alison Armour identified a minimum of 23 stab wounds to Dylan’s head, neck, chest, back and abdomen which were responsible for Dylan’s death either by causing severe blood loss or severe internal injury to underlying organs. As she put it, these injuries were unsurvivable.
6. Some of those injuries were particularly horrific. They included a complex wound to the front of the neck consisting of a minimum of 3 deep stab wounds, that caused severe damage to structures of the neck and severed the left internal jugular vein, the common carotid artery and the vagus nerve (the longest cranial nerve that goes all the way from the brain and is responsible for the electrical activity of the heart). Massive haemorrhaging would have resulted. There was also associated bone damage to vertebrae of the cervical spine, that would have required considerable force as you drove the knife through Dylan’s neck right through to his spine.
7. Other equally horrific stab wounds included one to the back of the head, damaging the bone of the skull, stab wounds to the chest that severed ribs and punctured both the chest cavity,

and injured the lungs (both potentially fatal injuries in their own right), and a substantial wound to the abdomen with a track of some 16cm.

8. It is not possible to say in what order the injuries were inflicted, and sadly, as Dr Armour was to confirm, all the injuries were inflicted in life, and any of these injuries could have caused pain and suffering. There were numerous defensive wounds to Dylan's hands, and he was clearly trying to defend himself and grab the knife that you were holding showing that the attack took place over a period of time. I have no doubt that Dylan suffered greatly as you rained the stab wounds down upon various parts of his body, to the front, to the back, and to the side of his body. One stab wound was to his forearm severing his tendons which would have resulted in him being unable to move his hand or grip, rendering him all the more defenceless. It is an inevitable inference given the various locations of the wounds and the fact that all the wounds were inflicted in life, that many of the wounds must have been inflicted before Dylan bled out due to the wounds to his neck.
9. So how was it that you, a 28 year old family man of positive good character with no criminal convictions or cautions, with a good job, a loving wife and a 5 year old daughter, and with all the virtues I have read about in the character references before me, came to commit such a grotesque murder?
10. I am in no doubt whatsoever that the answer lies in revenge for the theft of your wife's motorbike, and you going out to find (as a text message to your wife's phone was to call them) the "2 young rats" who had been seen riding the bike around the estate that afternoon, and not only to find that bike, but to find those responsible and exact revenge upon them equipped, as I am sure you were, with a pointed black knife in a sheath, that you were concealing under your jumper, ready to use as a weapon, as I will come on to address. You were not just looking for the bike, you knew those responsible had recently been sighted on the bike in the area, and you knew they were still likely to be in the area and with the bike. You wanted revenge. In this regard the very first words you spoke after killing Dylan and confronting Keagan Lyon were "You stole my wife's bike", the clearest possible corroboration of why you were there, what you were feeling, and why you did what you did.
11. Your wife teaches children with special needs and cycles 40 minutes to work each day which is difficult for her particularly in bad weather. A motorbike would make a great difference to her daily life. You had very recently paid a deposit on the bike for her, the rest of the cost being on a loan agreement. The bike was so new that it did not yet have a registration number and, as such, it was not yet insured, with the consequence that, following its theft, you and your wife were left uninsured and saddled with the associated debt. It is clear that there had been a number of bike thefts in the area and there was feeling within the community about such matters.
12. The bike was stolen from outside your house and reported to the police by your wife just after 6am the previous day. You and your wife posted on the Skelmersdale First Facebook page about the theft and any sightings. I have no doubt that you knew perfectly well the content of the messages that were subsequently received to the Facebook account that you said that you shared with your wife, as well as of the text messages received to her phone.

13. It was not long before there were sightings. Soon after 7pm on the day of the theft, someone posted, "Hi four scumbag lads (North Face ninja type) had this bike and a black/orange Repsol motorbike in the two subways that go under the M58 at the bottom of Castlehey in Digmaor at about 4pm today" and soon thereafter a text message, ""Hi I saw this bike at about 4pm today. Two lads on it, and another two lads doing something to a black/orange Repsol bike. Under the two subways under the M58 at the bottom of Castlehey in Digmaor" with a response that I am satisfied was either from you, or if from your wife, at least with your knowledge, "appreciate this information. I'll have a look in this location" the person responding, "There is a burnt out moped in these subways also, this was already here and is not the white one. Good luck mate."
14. Then the next day a series of messages and images including at 4pm of a white bike, "is this your bike, it was at the side of 193 Brierfield" and an SMS reply from you or your wife, "yeah this is can you report to the police too? Just to help me on that", that received the response "will do", with you or your wife immediately responding, "Have you seen right now?" which received the reply, "About 5 mins ago, 2 young rats" to which you or your wife responds, "Unbelievable, we work to get the[se] things, to these rats come and messy with that".
15. You came home from work at around 19.30hrs, had your dinner, and then went out, I have no doubt enraged, and on a mission, to find the "2 young rats" as I am sure you had heard them described. But as you were to say to the police in interview and when you gave evidence, "these young fellas always they have knives on them", which you said you knew from media reports.
16. I have to decide whether you took the knife to the scene with which you attacked Dylan, intending to use it as a weapon, and inflicted the numerous fatal stab wounds upon him with it causing his death. I am satisfied so that I am sure, that you did so on the entirety of the evidence and for a very large number of reasons:-
 - (1) Your belief was that these young fellas always carry knives, and there were two of them who you were going to confront, alone, and in an isolated area, so there was every reason, however misguidedly, to equip yourself with that knife given your belief that such young fellas always carry knives (albeit that no knives were in fact found at the scene).
 - (2) Secondly, there is high quality CCTV footage of you going to the scene (that has to be viewed, and considered, in the context of all the evidence). There are times when a bulge under your jumper can clearly be seen. Even more significantly, you can clearly be seen adjusting something around your waistband under your jumper as you would if you had a knife in a sheath concealed in it. When cross-examined you did not suggest you had anything under your jumper to account for the bulge, and you were unable to offer any explanation as to what else it could have been other than a sheathed knife.
 - (3) Thirdly, I accept that whilst you were walking along the path above the Digmaor Road you spotted the white bike (or at least the rear of it) above you in a wooded area, and

that you also came across two lads (Dylan and Keagan Lyon). But I reject as a cock and bull story that they ran down from above and intercepted you, a well-built 6 foot man much older (and I have no doubt stronger) than them, that Dylan asked you “what you were looking for”, before standing in front of you and pulling a knife on you, and that you somehow grabbed hold of his knife hand, grabbed his shoulder and threw both of you over the embankment before at some stage obtaining the knife from Dylan (in circumstances that you were wholly unable to remember) before stabbing him over 23 times (that you were to say you were not even aware of doing and thought you were punching him in a “fight”). I am in no doubt whatsoever that whatever the shortcomings of Keagan Lyon and his evidence, he was telling the truth when he said that had they spotted you, and had they known of any intention for trouble or it kicking off, they would have run. I am sure that it was you who spotted them, slyly approaching them (as Keagan put it) so as to exact revenge, and then without warning it was you who launched an attack on them, tumbling down the embankment with Dylan and stabbing him multiple times when you caught him at the bottom.

- (4) Fourthly, there clearly was no fight, still less a knife fight– you were found to have sustained no injuries whatsoever when examined at the police station, and it defies belief that you could have wrestled a knife from Dylan, without incurring at least some injuries to your hands or body, both knife injuries, and bruising, as Dylan would have fought with you for his life (on your case with a knife). It was Dylan that had defensive knife injuries to his hands, and it was Dylan who suffered over 23 serious stab injuries. In contrast, there was “barely a scratch on you” when you were examined at the police station, with only one mark on your shoulder that did not even break the skin and could have been caused by anything, and at any time.
- (5) Fifthly, after you had killed Dylan with the knife, you kept hold of the knife, and threatened Keagan with it (caught on his video of you), and then you headed towards a cut-through in the central reservation to escape up the embankment on the other side, but in doing so you dropped the sheath, in which the knife had been holstered, on the grass. This was in a location that Dylan had never been.
- (6) It could not, therefore, have been Dylan’s sheath as your own evidence was that you never saw a sheath, you never suggested it was Dylan’s sheath, and you could not account for its presence on the grass where only you had been. The reality is that it was you who had the sheath (in which you took the knife to the scene), and it was you who accidentally dropped it. You could not come up with any credible explanation of it being anyone else’s or give any explanation for its presence where it was found if you had not dropped it there.
- (7) Yet further, the sheath was recovered and subject to DNA analysis. In particular swabs were taken from the very edge of the sheath where someone might hold the edges to insert or remove a knife (per the evidence of the forensic examiner Ms Sands), as I am sure you did. A mixed DNA result was obtained, most likely from three individuals, a major contributor, and two minor contributors. The major profile matched your DNA profile, and it was calculated that it was at least a billion times more likely if the majority

of the DNA had originated from you rather than an unknown individual unrelated to you, and subsequently, comparison showed that the DNA profile relating to Dylan BRAGGER was represented in such a way as he could be considered a potential minor contributor. Keagan Lyon's DNA was excluded. It is unsurprising that Dylan was a minor contributor given that you had just had extensive contact with him, and so there could have been direct contact transfer, or secondary transfer, of such minor contribution DNA.

- (8) It was your knife and your sheath, and you did not want it recovered. You lied throughout about that knife and that sheath. You continued to do so at trial. You said that you threw the knife away onto the grass by a big tree when you got to the other side of the dual carriageway. It was not found by extensive specialist search teams including with use of general and specialist search dogs in that very obvious and precise location or indeed anywhere else despite an extensive search. The truth is that you concealed it within the waistband of your trousers, as Dylan's blood (from the knife) was found on the inside of the waistband of your trousers, you no doubt being desperate that it did not fall into the hands of the police, to allow them to investigate it further and make further enquiries about it.
17. Your eventual evidence that you thought you had stabbed Dylan a "few times" (though you also said that you were "guessing" and/or "could not remember") was another lie. You pleaded not guilty to murder, and did not offer a plea even to manslaughter, as was your right, but in consequence you put Dylan's family through the ordeal of a trial.
18. You ran what can only be characterised as the preposterous defence of self-defence despite not having suffered any injury whatsoever to yourself, and having inflicted over 23 serious injuries on Dylan. If the jury ever got that far (and I am sure you were not acting in self-defence) there is no way that the force you used could ever have been regarded as reasonable, and the jury were not deceived by your defence in that regard.
19. I left the partial defence of loss of control to the jury, but they rightly rejected that defence as being available to you. It would be wrong to speculate how they reached their murder verdict, and I reject the suggestion that they may have rejected the prosecution's primary case. That really would be to speculate. I would only add that had the jury returned a verdict of manslaughter due to loss of control that would not have meant that you did not take the knife to the scene. Such a verdict would be equally consistent with taking a knife to the scene to have it available to use as a weapon and having subsequently lost control. That was not, however, the jury's verdict.
20. No one can but have been moved by the victim impact statement from Dylan's mother Sarah. As she said, the whole family is broken, and nothing will serve their family justice. I only hope that the jury's verdict, and the sentence I pass, will at least allow the family to leave this court room with some further insight into events on the night in question and that it will help them try and rebuild their lives, even if their lives will never be the same again. In this regard I would like to pay especial tribute to the family for their dignity and respect

that they have shown throughout these proceedings, listening to harrowing evidence that had to be adduced, but which must have been very distressing for them.

21. There is only one sentence that the law allows to be passed for the offence of murder, that is a mandatory sentence of imprisonment for life. I am, however, required to specify the minimum term, pursuant to Schedule 21 to the Sentencing Act 2020, which must elapse before you can be released on licence.
22. Under paragraph 4(2) if the offender takes a knife to the scene intending to commit any offence or have it available to use as a weapon and used that knife in committing the murder then the offence is normally regarded as sufficiently serious for the appropriate starting point, in determining the minimum term, to be 25 years.
23. In the present case I am satisfied that the appropriate starting point is 25 years as I am satisfied that your offending is sufficiently serious for the appropriate starting point to be 25 years. There are two reasons for this. First, I am sure that you took the knife to the scene, for the reasons that I have identified, intending to use it as a weapon and that you used that knife in committing the murder, and in consequence I consider that the appropriate starting point is 25 years. However secondly, this is a brutal murder involving a frenzied attack with a fearsome black knife (described as having a sharp pointed tip and with teeth at its base) that was used to stab the victim more than 23 times, and the use of such a knife, in such a manner, would itself be an extremely serious aggravating factor (as is well established on the authorities) such that if a 15 years starting point had been appropriate, the use of that knife, and in the manner in which it was used in this regard would, I am satisfied, elevate the starting point to 25 years before consideration of mitigating factors, this being just the sort of knife, and horrific knife attack, that justifies such a starting point (contrast cases where there are fine divisions as to whether a knife has been taken to the scene but which can have large impacts upon sentence) – this was, on any view, a brutal knife attack justifying, and requiring, such a starting point.
24. In this regard I have had regard to *R v Jones* [2005] EWCA Crim 3115 and *R v Beddoes* [2018] EWCA Crim 2599, and that the starting points are not to be used mechanistically, and I have had full regard to the facts of this case so as to truly reflect the seriousness of your offending and to do justice in this case. The present case is one of a brutal murder involving a frenzied knife attack which demonstrates all too graphically the seriousness of such offending and the horrific injuries that can be caused by such a knife.
25. After having identified the appropriate starting point it is then necessary to consider if there are any aggravating factors (or, if applicable, any aggravating factors other than the use of a knife). The only one that has been identified, as I have already addressed, is the suffering that would have been caused to Dylan by the number and nature of the wounds inflicted. I have taken that into account as an aggravating factor.
26. I then turn to the available mitigation. It is accepted that there was an intent to kill so there is no mitigation there. Whilst there was not a significant degree of planning or premeditation nor was there a lack of premeditation given that I am sure that you went out looking for revenge. I take account of the fact that you did at least admit to causing Dylan's death, albeit

that such admission was in reality inevitable on the factual and expert evidence. I also take into account that you no doubt felt wronged, and aggrieved by the theft of your wife's bike and those you regarded as associated with it. That is, however, no justification for you to take the law into your own hands, still less act in the abhorrent way that you did. You should have left matters to the police.

27. Your previous positive good character and your remorse do amount to mitigating factors which I have taken full account of, and given proper weight to. In that regard a recurrent theme of the character references, to which I have had regard, is of a man who devotes himself to his wife and family and assists in the local community. Whilst there is no possible justification for what you did, I am satisfied that you acted completely out of character, and the consequences of your actions will have devastating consequences for your family. You will not be there to support them, and you will not be there to see your daughter grow up. I have no doubt that you will also find prison life hard, as you have during your time on remand. However you have only yourself to blame for the situation you find yourself in.
28. Having regard to the seriousness of your offending, and then balancing the aggravating and mitigating factors that I have identified viewed in the context of such serious offending, I pass a life sentence and set the minimum term at 23 years imprisonment less 208 days you have spent on remand, a minimum term of 22 years and 157 days.
29. It is important to emphasise, so that you and the public can understand the position, that the minimum term is just that - a minimum period which cannot be reduced in any way. After it is served, there is no guarantee that you would be released at that time, or at any particular time thereafter. It is then only if the Parole Board decided that you were fit to be released that you would be released, after which you would remain subject to licence for the remainder of your life. It is in these ways that a life sentence protects the public for the future.
30. The victim surcharge is imposed in the appropriate sum.