

Date: 20010911
Docket: CAC 169540

NOVA SCOTIA COURT OF APPEAL
[Cite as: **R. v. Boyd, 2001 NSCA 125**]

Bateman, Freeman and Oland, J.J.A.

BETWEEN:

WAYNE EDWARD BOYD

Appellant

- and -

HER MAJESTY THE QUEEN

Respondent

REASONS FOR JUDGMENT

Counsel: Joseph A. MacDonell for the appellant
Monica McQueen for the respondent

Appeal Heard: September 11, 2001

Judgment Delivered: September 11, 2001

THE COURT: Appeal dismissed per oral reasons for judgment of Bateman, J.A.; Freeman and Oland, J.J.A. concurring.

BATEMAN, J.A.: (Orally)

- [1] In reading the trial judge's reasons as a whole in the context of the evidence presented we are not satisfied that he misinstructed himself on the requirement that control of the drugs, not just control of the property, be proved. Nor are we satisfied that the verdict is unreasonable.
- [2] Accordingly, the appeal is dismissed.

Bateman, J.A.

Concurred in:

Freeman, J.A.

Oland, J.A.