

Date: 20011017
Docket No.: CA168254

NOVA SCOTIA COURT OF APPEAL

[Cite as: Boyce v. Boyce 2001 NSCA 148]

Bateman, Flinn and Saunders, J.J.A.

BETWEEN:

MYRON LOVETT BOYCE

Appellant

- and -

HEATHER BOYCE

Respondent

REASONS FOR JUDGMENT

Counsel: James MacNeil for the appellant
Kathleen J. Hall for the respondent

Appeal Heard: October 17, 2001

Judgment Delivered: October 17, 2001

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

FLINN, J.A. (Orally):

[1] This appeal is from a decision of Justice Legere of the Supreme Court (Family Division) in which she refused to confirm a provisional order of the Supreme Court of Prince Edward Island relieving the appellant from paying child support; and, in addition, varied the provisional order by fixing the amount of arrears of child support and ordering the appellant to contribute to the costs of the child's education.

[2] Having heard the submissions of counsel for the appellant we are not satisfied that there is any basis upon which this court should interfere with Justice Legere's decision and order.

[3] The appeal is therefore dismissed. The appellant will pay to the respondent her costs of this appeal in the amount of \$1,500.00 inclusive of disbursements.

Flinn, J.A.

Concurred in:

Bateman, J.A.

Saunders, J.A.