

NOVA SCOTIA COURT OF APPEAL

Citation: R. v. Cole, 2010 NSCA 59

Date: 20100707

Docket: CAC 318539

Registry: Halifax

Between:

Her Majesty the Queen

Appellant

v.

Stephen John Cole

Respondent

Judge: By the Court

Appeal Heard: June 17, 2010

Subject: Criminal Law; Adjournment

Summary: The judge refused to adjourn the respondent's trial, as requested by the Crown to allow it more time to arrange for its proposed witness from China to obtain a visa.

Issue: Did the judge err by failing to exercise her discretion, as to whether or not to adjourn, in a judicial manner?

Result: Appeal dismissed. The judge considered the appropriate factors and applied the relevant legal principles in exercising her discretion.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 9 pages.