

NOVA SCOTIA COURT OF APPEAL

Citation: *R. v. Ogden*, 2011 NSCA 89

Date: 20110926

Docket: CAC 335103

Registry: Halifax

Between:

Victoria Mae Ogden

Appellant

v.

Her Majesty the Queen

Respondent

Judge: The Honourable Mr. Justice Jamie W.S. Saunders (Orally)

Appeal Heard: September 26, 2011

Subject: **Robbery. Identification. Credibility. Proof Beyond a Reasonable Doubt.**

Summary: Appeal from conviction for robbery alleging error by the trial judge in his assessment of credibility.

Held: Appeal dismissed. This robbery took place in a small room with only three persons present. The trial judge did not fall into the trap of simply comparing the Crown and defence positions without then going on to assess the whole of the evidence to establish proof of guilt beyond a reasonable doubt. In assessing all of the evidence the judge recognized that the ultimate issue was not credibility, but proof to a criminal standard.

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 4 pages.