

NOVA SCOTIA COURT OF APPEAL
Citation: *Doncaster v. Field*, 2012 NSCA 116

Date: 20121121
Docket: CA 393423
Registry: Halifax

Between:

Ralph Ivan Doncaster

Appellant

v.

Jennifer Lynn Field

Respondent

Judges: Saunders, Oland and Beveridge, JJ.A.

Appeal Heard: November 21, 2012, in Halifax, Nova Scotia

Written Judgment: November 22, 2012

Held: Leave to appeal denied per oral reasons for judgment of the Court

Counsel: Appellant not appearing
Kenzie MacKinnon, for the respondent

By the Court: (Orally)

[1] Thank you Mr. MacKinnon for your submissions this afternoon.

[2] The record discloses that the appellant was present in court on June 28, 2012, when this case was set down for appeal, to be heard at two o'clock this afternoon.

[3] The record also reflects the several notifications and reminders communicated to the appellant that his factum was due August 10, 2012.

[4] Mr. Doncaster never applied for an extension, although the method of doing so was explained to him by the Registrar.

[5] The appellant did not file a factum on the due date, or at all.

[6] The appellant is not present at today's hearing.

[7] We are unanimously of the view that because the appellant has failed to perfect his appeal, leave to appeal ought to be denied.

[8] Costs of \$1,500.00 inclusive of disbursements are ordered payable to the respondent, forthwith.

Saunders, J.A.

Oland, J.A.

Beveridge, J.A.