

NOVA SCOTIA COURT OF APPEAL
Cite as: R. v. Marks, 1996 NSCA 113

Chipman, Roscoe and Pugsley, JJ.A.

BETWEEN:

BRIAN ANGELO MARKS
Rizzetto

Appellant

- and -

HER MAJESTY THE QUEEN

) M. Joseph
)
) for the Appellant

)
)
) Denise C. Smith
) for the Respondent

)
)
) Appeal Heard:
) April 4, 1996

)
)
) Judgment Delivered:
) April 4, 1996

THE COURT: The appeal is dismissed as per oral reasons for judgment of
Chipman, J.A.; Roscoe and Pugsley, JJ.A., concurring.

The reasons for judgment of the Court were delivered orally by

CHIPMAN, J.A.:

We are unanimously of the opinion that the Summary Conviction Appeal Court judge made no error in allowing the respondent's appeal and ordering a new trial on the charge of impaired driving.

The appeal is dismissed.

Chipman, J.A.

Concurred in:

Roscoe, J.A.

Pugsley, J.A.