

NOVA SCOTIA COURT OF APPEAL

Citation: D.D. v. Nova Scotia (Community Services), 2003 NSCA 146

Date: 20031219

Docket: CA 212492

Registry: Halifax

Between:

D.D.

Appellant

v.

Minister of Community Services, Mi'kmaw Family and Children's
Services of Nova Scotia, S.D., M.W.P., M.H. and K.P.

Respondents

And Between:

D.D.

Appellant

- and -

K.P., W.P., M.H. and S.D.

Respondents

JUDGE: Bateman, J.A. (in Chambers)

APPLICATION HEARD: December 18, 2003

DECISION DELIVERED: December 19, 2003

SUBJECT: Stay of custody disposition.

SUMMARY: In combined child protection and custody proceedings, custody of

the child ordered to be with the father. Child one of four siblings of three different fathers. Custody of two older siblings granted to biological father, custody of child in question granted to her biological father who resides in British Columbia, and custody of youngest granted to maternal grandmother. Grandmother appeals custody disposition of the child in question and seeks a stay of her transfer to British Columbia.

ISSUE: Should child's transfer to live with father be stayed pending appeal?

RESULT: Application for stay dismissed. No special and persuasive circumstances warranting a stay.

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 12 pages.