

NOVA SCOTIA COURT OF APPEAL
Citation: *R. v. MacDonald*, 2013 NSCA 45

Date: 20130417
Docket: CAC 394522
Registry: Halifax

Between:

Cameron Kennedy MacDonald

Appellant

v.

Her Majesty the Queen

Respondent

Judge: The Honourable Justice Peter M.S. Bryson

Appeal Heard: April 4, 2013

Subject: **Appeals. Criminal. Summary Conviction Matters. Section 839 Criminal Code of Canada, R.S.C. 1985, c. C-46.**

Summary: Mr. MacDonald was convicted of shoplifting and fined \$250.00 (theft under \$5,000.00 – s. 334(b) of *Criminal Code*). He appealed to the Summary Conviction Appeal Court alleging misapprehension of evidence. His appeal was dismissed. He then sought leave to appeal from the Court of Appeal. Crown argued leave should not be granted as there was no error in the SCAC judge’s statement or application of the law.

Issues:

1. Should leave be granted?
2. If so, did the Summary Conviction Appeal Court err in his statement or application of the law to the facts in conducting his

review of the Provincial Court decision?

Held: Leave not granted. There was no issue of general importance and no strong chance of success on the merits of the appeal.

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.