

NOVA SCOTIA COURT OF APPEAL

Citation: *R. v. Buckley*, 2013 NSCA 73

Date: 20130613

Docket: CAC 354572

Registry: Halifax

Between:

Joseph Patrick Buckley

Appellant

v.

Her Majesty The Queen

Respondent

Restriction on Publication: Pursuant to s. 486 of the *Criminal Code of Canada*

Judge: The Honourable Justice Linda Lee Oland

Appeal Heard: June 4, 2013, in Halifax, Nova Scotia

Subject: Criminal Law - Ineffective Assistance of Counsel

Summary: The appellant was convicted by a jury, and sentenced for sexual assaults against two young girls. On his appeal, the appellant argued ineffective assistance of his trial counsel. He made numerous allegations faulting his former lawyer's preparation for and conduct of the trial.

Issues: Whether the appellant had demonstrated that the conduct or omissions amounted to incompetence and that the incompetence had resulted in a miscarriage of justice.

Result: Appeal dismissed. Nothing that the appellant complains that his trial counsel did, or did not do, resulted in any prejudice to him. Nothing in the record suggested that the lawyer's preparation, or performance, fell outside the range of reasonable, professional conduct.

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.