

1969

S. C. No. 15226

IN THE SUPREME COURT OF NOVA SCOTIA

APPEAL DIVISION

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

- and -

MICHAEL RICHARD MALLOY

Appellant

McKINNON, C.J.N.S.:

In considering this application for leave to appeal, the Court has given close attention to the merits of the appeal against sentence.

It is the unanimous opinion of the Court that a judicial assessment of such merits does not warrant the disturbing of the sentence imposed by the learned Judge of the Magistrate's Court and, accordingly, the application for leave to appeal should be dismissed.

DATED at Halifax, Nova Scotia, this 10th day of September,
A. D., 1970.

Members of Appeal Division present:

McKinnon, C.J.N.S.

Coffin, J.A.

Cooper, J.A.

Counsel:

Gordon S. Gale, Esq.