

NOVA SCOTIA COURT OF APPEAL

Citation: *R. v. Sylliboy*, 2025 NSCA 81

Date: 20251120

Docket: CAC 516866

Registry: Halifax

Between:

Kevin Sylliboy

Appellant

v.

His Majesty the King

Respondent

Judges: Farrar, Bryson, Van den Eynden, JJ.A.

Appeal Heard: November 20, 2025, in Halifax, Nova Scotia

Written Release: November 20, 2025

Held: Appeal dismissed, per reasons for judgment by the Court

Counsel: Michael Lacy, for the appellant
Glenn Hubbard, for the respondent

Reasons for judgment:

By the Court (Orally)

[1] We are unanimously of the view the appeal ought to be dismissed.

[2] The appellant's argument the trial judge somehow misapprehended the evidence of Dr. Erik Mont is entirely without merit.

[3] The trial judge was entitled to draw inferences based on the presented evidence. He engaged the correct legal test and concluded the only reasonable inference that could be drawn under the circumstances was the appellant fired at James Blair with the requisite intent to kill him.

[4] The question for the Court is whether the inference drawn by the trial judge was reasonable.¹

[5] The trial judge's inferences are well grounded in the evidence presented to him.

[6] There was no basis to conclude, on that evidence, the shot fired was intended for Mr. Blair's arm.

¹ See *R. v. Villaroman*, 2016 SCC 33 at para. 37.

[7] The trial judge's conclusion the appellant intended to kill Mr. Blair, or in the alternative, cause Mr. Blair bodily harm that he knew would likely result in his death, was reasonable.

[8] The appeal is dismissed.

Farrar, J.A.

Bryson, J.A.

Van den Eynden, J.A.