

NOVA SCOTIA COURT OF APPEAL

**Cite as: Christensen v. Christensen, 1995 NSCA 205
Chipman, Jones and Roscoe, JJ.A.**

BETWEEN:

ALAN BRUCE CHRISTENSEN

Appellant

)
)
) Raymond A. Mitchell
) for the Appellant
)

- and -

DONNA CHRISTENSEN

Respondent

)
) Respondent appeared
) in person
)

)
) Appeal Heard:
) November 16, 1995
)

)
) Judgment Delivered:
) November 16, 1995
)

THE COURT:

The appeal is dismissed without costs as per oral reasons for judgment of Chipman, J.A.; Jones and Roscoe, JJ.A., concurring.

The reasons for judgment of the Court were delivered orally by

CHIPMAN, J.A.:

This is an appeal from a judgment in the Supreme Court in divorce proceedings.

Counsel for the appellant having acknowledged that his client received notice of trial and knew the date of the trial, the application for fresh evidence furnishes the only ground upon which the judgment of the Supreme Court can be attacked. The material offered in support of that application fails to show anything which, if taken with the other evidence, could reasonably be expected to have affected the result.

The appeal is therefore dismissed without costs.

Chipman, J.A.

Concurred in:

Jones, J.A.

Roscoe, J.A.