

NOVA SCOTIA COURT OF APPEAL

**Cite as: R. v. MacKay, 1994 NSCA 145**

Jones, Chipman and Roscoe, J.J.A.

**BETWEEN:**

DAVID EDWARD MacKAY  
the appellant appeared

Appellant

- and -

HER MAJESTY THE QUEEN

Respondent

) in person

)  
) Gordon S. Gale, Q.C.  
) for the Respondent

)  
) Appeal Heard:  
) May 24, 1994

)  
) Judgment Delivered:  
) May 24, 1994

**THE COURT:** Appeal is dismissed per oral reasons for judgment of Jones, J.A.;  
Chipman and Roscoe, J.J.A. concurring.

The reasons for judgment were delivered orally by:

JONES, J.A.:

This is an appeal by the appellant from his conviction for uttering a death threat

contrary to s. 264.1(1)(a) of the **Criminal Code**.

The charge arose out of a dispute between the appellant and a neighbour at Shad Bay. A confrontation occurred between the two at Shad Bay when the threats were made. We have reviewed the grounds of appeal and the evidence. We find no error on the part of the trial judge in conducting the trial and we are satisfied that there was evidence to support the conviction. The appeal is dismissed.

J.A.

Concurred in:

Chipman, J.A.

Roscoe, J.A.

