

NOVA SCOTIA COURT OF APPEAL

Citation: *R. v. Shiers*, 2003 NSCA 138

Date: 20031209

Docket: CAC 194315

Registry: Halifax

Between:

Her Majesty the Queen

Appellant

v.

John Gregory Shiers

Respondent

Judge: Fichaud, J.A.

Appeal Heard: November 18, 2003

Subject: Sufficiency of Information to Obtain Search Warrant under s. 8 of *Charter*

Summary: Information to Obtain stated that the accused sold a controlled drug outside his residence. Provincial Court overturned the warrant issued by the justice of the peace.

Issue: Did the Provincial Court exceed its power of review?

Result: The warrant was reinstated. The Provincial Court should defer to reasonable inferences which may be drawn by the issuing judge.

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 8 pages.