

NOVA SCOTIA COURT OF APPEAL

Citation: *Davey v. Davey*, 2003 NSCA 7

Date: 20030115

Docket: CA 185952

Registry: Halifax

Between:

Colin Francis Davey

Appellant

v.

Catherine Anne Davey

Respondent

JUDGE: ROSCOE, J.A. (Orally)

APPEAL HEARD: January 15, 2003

JUDGMENT DELIVERED: January 15, 2003

WRITTEN RELEASE OF ORAL: January 17, 2003

SUBJECT: Family Law: **Divorce Act**, variation, child support, spousal support, illness of former spouse

SUMMARY: On an application to vary, the trial judge retroactively varied both child and spousal support and ordered the spousal support to continue until the child of the marriage finished high school.

ISSUE: Did the trial judge err?

RESULT: Appeal dismissed. In the exercise of his discretion, the trial

judge properly weighed all the circumstances and relevant factors and made no reviewable error.

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 10 PAGES.