

NOVA SCOTIA COURT OF APPEAL

Citation: *R. v. R.S.*, 2014 NSCA 105

Date: 20141125

Docket: CAC 426547

Registry: Halifax

Between:

R.S.

Appellant

v.

Her Majesty The Queen

Respondent

Restriction on Publication: pursuant to ss. 110(1) and 111(1) of the Youth Criminal Justice Act

Judge: The Honourable Justice J.E. (Ted) Scanlan

Appeal Heard: October 8, 2014, in Halifax, Nova Scotia

Subject: Evidence. Misapprehension of Evidence. Circumstantial Evidence.

Summary: The appellant was one of two individuals apprehended following a robbery at a bus stop in Halifax. The victim provided a description to a police officer and that information was broadcast to officers. Two individuals matching the description were apprehended, and a knife not inconsistent with the description as provided by the victim was found near where the two persons were first observed.

Issue: Did the trial judge misapprehend the circumstantial evidence which formed the basis of the conviction?

Result: Appeal dismissed, the trial judge did not misapprehend the evidence and the evidence supported the trial judge's finding of guilt beyond a reasonable doubt.

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.