

**IN THE SUPREME COURT OF NOVA SCOTIA**

**Citation:** R. v. MacNeill, 2006 NSSC 355

**Date:** 20061121

**Docket:** Cr. S.AT. No. 242507

**Registry:** Antigonish

**Between:**

Laurie Etta MacNeill

v.

Her Majesty the Queen

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**LIBRARY HEADING**

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**Judge:** The Honourable Justice Douglas L. MacLellan

**Heard:** September 29, 2006, in Antigonish, Nova Scotia

**Written Decision:** November 21, 2006

**Subject:** Criminal Law - Charter Application alleging breach of Section 11(b) of *Charter*.

**Summary:** Accused was charged with theft under \$5,000.00 and applied for stay of proceedings based on unreasonable delay prior to her trial. Charge laid in May 2004 and because of adjournment requested by Crown trial scheduled to begin on October 2<sup>nd</sup>, 2006.

**Issue:** Was delay of trial unreasonable and should Court grant stay under Section 24(1) of *Charter*?

**Result:** Stay of proceedings entered. Delay of 20 months from charge to trial held to be unreasonable.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.  
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***