

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Salah v. Salah, 2013 NSSC 308

Date: 20130613
Docket: 1201-062188
Registry: Halifax

Between:

David Joseph Salah

Applicant

v.

Melissa Ann (Reid) Salah

Respondent

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Judge: The Honourable Justice Carole A. Beaton

Date of Hearing: June 10, 11, 12 and 13, 2013

Date of Oral

Decision: June 13, 2013

Issues: Application for variation of access; reply Application for variation of custody.

Summary: Father applied to vary Mother's access, to supervise the access times; Mother responded by applying to vary custody in her favor to assume sixty percent of the parenting time. The court rejected both applications on the basis there had been no change in circumstances material to the child.

Keywords: Family - access to children; Family - child custody; Family - *Divorce Act*;

Legislation: s..17, *Divorce Act*

Cases Considered: *Gordon v. Goertz*, 1996 CanLII 191 (SCC)

Legace v. Mannett, 2012 N.S.S.C 320

Young v. Young, (1993), 4 S.C.R. 3

Tamlyn v. Wilcox 2010 NSSC 266

Burgoyne v. Kenny 2009 NSCA 34

MacGyvor v. Richards, (1995), 11 R.F.L (4th) 432 (Ont. C.A.)

R v. Mah, 2002 NSCA. 99
Hurst v. Gill, 2011 NSCA 100
Baker-Warren v. Denault, 2009 NSSC 59
Faryna v. Chorney, [1952] 2 D.L.R. 354
Brown v. Dunn, (1893) 6R. 67, H.L

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