

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** *R. v. Emmerson*, 2014 NSSC 226

**Date:** 20140618

**Docket:** Halifax No. CRH412094

**Registry:** Halifax

**Between:**

Her Majesty the Queen

v.

Steven Charles Emmerson

---

**LIBRARY HEADING**

---

- Judge:** The Honourable Justice Allan P. Boudreau
- Heard:** May 26 & 27, 2014 in Halifax, Nova Scotia
- Oral Decision:** May 28, 2014
- Subject:** *Charter* Application – Right to Counsel – Unreasonable Search and Seizure – Exclusion of Evidence under section 24(2)
- Summary:** Steven Charles Emmerson is charged on a four count indictment dated February 14, 2013; that, on November 5, 2010 he had in his possession for the purpose of trafficking four prohibited substances under the *Controlled Drugs and Substances Act*, namely; 1. Cannabis Resin 2. Hydromorphone 3. Morphine and 4. Diazepam (Valium). Mr. Emmerson has made this *Charter* Application alleging that his rights pursuant to sections 8 and 10(b) of the *Charter* were violated and he has requested an Order pursuant to section 24(2) of the *Charter* excluding the evidence obtained by the police.
- Issues:**
- (1) Was there a violation of the accused's section 10(b) of section 8 *Charter* Rights?
  - (2) Should the evidence be excluded pursuant to section 24(2)?
- Result:** Found no *Charter* violations. Would not have excluded the evidence in any event.

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