

**IN THE SUPREME COURT OF NOVA SCOTIA**

**Citation:** Nova Scotia (Maintenance Enforcement) v. Stuckless, 2003 NSSC 321;  
formerly 2003 NSSF 033

**Date:** 20030813

**Docket:** S.F.M.MEA 013903/000333

**Registry:** Halifax

**Between:**

Director of Maintenance Enforcement  
for the Province of Nova Scotia

Applicant

v.

Everett Roger Stuckless

Respondent

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**LIBRARY HEADING**

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**Judge:** The Honourable Justice Walter R. E. Goodfelloew

**Heard:** August 11<sup>th</sup>, 2003 in Halifax

**Written Decision:** August 13th, 2003

**Subject:** ADJOURNMENT - MAINTENANCE ENFORCEMENT-  
IMPRISONMENT

**Summary:** Reviewed history of file and concluded beyond a reasonable doubt that Mr. Stuckless has conducted himself for years by deliberate courses of action to foster delay and his present request for an adjournment was simply more of the same; therefore, application for adjournment dismissed. Determined arrears of child support as of August the 8<sup>th</sup>, 2003 for three children of Mr. Stuckless's first marriage to total \$53,128.04. Determined Mr. Stuckless totally lacking in credibility and that while he intellectually understood the priority to be given to child support, his priorities throughout have been to attend to his own needs and comfort. Determined Mr. Stuckless has in the past had the ability to pay, reviewed financial information obtained by Director, including Mr. Stuckless's past three years' income tax returns, application in July 2003 by Mr. Stuckless and his present wife for her to acquire home in Glen Arbour at purchase price of \$293,000.00, etc. Advised Mr. Stuckless that imprisonment was probably the only course open to the court, given the history of this matter, but adjourned final determination on imprisonment and costs to October the 2<sup>nd</sup>, 2003.

Court directed Mr. Stuckless to obtain the assistance of counsel and that he should be under no illusions that his days of delay in addressing his own needs and comforts in priority to child support have come to an end.

**Issue:** Setting arrears of child support - imprisonment.

**Result:** Set arrears at \$53,128.04. Final determination on imprisonment set for October 2<sup>nd</sup>, 2003.

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