

**CASE NO.****VOL. NO.****PAGE**

TERRANCE WESTHAVER

HEATHER WESTHAVER

- and -

(Appellant)

(Respondent)

CA 157196

Halifax, N.S.

CROMWELL, J.A.  
(Orally)

---

**[Cite as Westhaver v. Westhaver, 1999 NSCA 149]****APPEAL HEARD:**November 30<sup>th</sup>, 1999**JUDGMENT DELIVERED:**November 30<sup>th</sup>, 1999**WRITTEN RELEASE OF ORAL:**December 2<sup>nd</sup>, 1999**SUBJECT:****Spousal Maintenance - Family Maintenance Act****SUMMARY:**

The trial judge ordered \$800 monthly maintenance to be reviewed within one year. The appellant had a gross monthly income of \$5500 per month and the respondent a gross monthly income of \$745 per month. The respondent had been injured in a car accident which occurred during the marriage and the trial judge found that as a result she was not able to work.

**ISSUE:**

Did the trial judge err?

**RESULT:**

Appeal dismissed. The Court was not persuaded that the trial judge's decision contained any material error, serious misapprehension of the evidence or any error in law.

**This information sheet does not form part of the court's decision. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 3 pages.**