

NOVA SCOTIA COURT OF APPEAL

Citation: *R. v. D.O.B.*, 2015 NSCA 74

Date: 20150729

Docket: CA 436352

Registry: Halifax

Between:

D.O.B.

Appellant

v.

HER MAJESTY THE QUEEN

Respondent

Restriction on Publication: s. 486 C.C.
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- Judge:** The Honourable Chief Justice Michael MacDonald
- Appeal Heard:** June 3, 2015, in Halifax, Nova Scotia
- Subject:** Criminal law; sexual assault; credibility; child witnesses; sufficiency of reasons
- Summary:** The appellant seeks to set aside his conviction for sexually assaulting his teenaged niece during a sleepover at his home. Listing five grounds of appeal, the appellant essentially alleges that the trial judge erred by committing palpable and overriding errors of fact, rendering an unreasonable verdict, and issuing deficient reasons. He suggests that, considering these errors either alone or combined, the verdict is unsafe.
- Issue:**
1. Did the judge commit palpable and overriding errors of fact?
 2. Was the verdict reasonable?
 3. Were the judge's reasons deficient?

Result: Appeal dismissed. The decision revealed no palpable and overriding errors of fact. A careful review of the record confirmed that the verdict was reasonable. The judge's reasons were adequate in the circumstances.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 17 pages.