

The reasons for judgment of the Court were delivered orally by:

ROSCOE, J.A.:

[1] Mr. Frederick Black is charged with three counts of fraud contrary to s. 380(1)(a) of the **Criminal Code** and has elected to be tried in the Supreme Court. The trial is scheduled to heard in September, 2000. Mr. Black made two applications in Supreme Court Chambers; one before Justice Saunders, and one before Chief Justice Kennedy, for orders for disclosure beyond that which had already been provided by the Crown. Both applications were refused with reasons. Mr. Black has filed a notice of appeal in relation to those two decisions.

[2] The Crown, by application brought pursuant to **Civil Procedure Rules** 62.18 and 65.03, seeks to quash the notice of appeal on the basis that there is no appeal authorized by law at this stage of the criminal proceeding.

[3] The application to quash the notice of appeal is allowed. We agree with the submissions of the Crown that there is no appeal from the decisions of Justice Saunders and Chief Justice Kennedy at this time. See: **R. v. Murdock** (1995), 141 N.S.R. (2d) 251 (C.A.) and the cases cited therein.

Roscoe, J.A.

Concurred in:

Freeman, J.A.

Bateman, J.A.