

Date: 19981117

Docket: CAC 145856

NOVA SCOTIA COURT OF APPEAL
Cite as: R. v. Henneberry, 1998 NSCA 232

Chipman, Freeman and Roscoe, JJ.A.

BETWEEN:

JOHN NORMAN HENNEBERRY

Appellant

- and -

HER MAJESTY THE QUEEN

Respondent

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)
) Brian F. Bailey
) for the Appellant
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) Dana W. Giovannetti
) for the Respondent
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) Appeal Heard:
) November 17, 1998
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) Judgment Delivered:
) November 17, 1998
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THE COURT:

The appeal is dismissed as per oral reasons for judgment of Chipman, J.A.; Freeman and Roscoe, JJ.A., concurring.

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

CHIPMAN, J.A.:

The appellant was convicted in Provincial Court of an assault causing bodily harm. He appeals, claiming that the trial judge erred in law by applying incorrect tests in convicting him.

Having reviewed the record, including the reasons of the trial judge, and having heard counsel for the appellant and the Crown, we are satisfied that the trial judge did not err in finding the appellant guilty. The appeal is dismissed.

Chipman, J.A.

Concurred in:

Freeman, J.A.

Roscoe, J.A.