

**CASE NO.** **VOLUME** **PAGE**  
**Cite as: R. v. L.J.R., 1998 NSCA 236**

L. J. R. HER MAJESTY THE QUEEN  
(Appellant) - and - (Respondent)  
C.A.C. No. 147262 Halifax, N.S. Freeman, J.A.

APPEAL HEARD: December 10, 1998

JUDGMENT DELIVERED: December 18, 1998

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**SUBJECT:** **Criminal Law, Sexual Offences, Fresh Evidence**

**SUMMARY:** The appellant was convicted on ten counts of sexual offences involving two young female complainants and is serving a sentence of six years one month. The counts alleged offences committed between dates up to several years apart while the appellant was married to the aunt of one of the complainants and they were living in the Halifax area. He asserted the dates in evidence before the trial judge were mistaken and sought to bring fresh evidence by witnesses who would establish an alibi defence. He was not represented by counsel.

**ISSUES:** Whether grounds existed for permitting fresh evidence and/or a new trial.

**RESULT:** The appeal was dismissed. Even if the appellant's revised version of the evidence were accepted it would not establish an alibi. His own evidence was still consistent with his presence in the Halifax area during substantial portions of the time periods alleged in the counts on which he was convicted.

**This information sheet does not form part of the Court's decision. Quotes must be from the decision, not this cover sheet. The full court decision consists of 5 pages.**