

NOVA SCOTIA COURT OF APPEAL

Clarke, C.J.N.S., Jones and Chipman, J.J.A.

Cite as: R. v. Dempsey, 1993 NSCA 51

BETWEEN:

KEITH DEMPSEY)

Mark F. Dempsey)

Appellant)

for the Appellant)

- and -)

HER MAJESTY THE QUEEN)

Respondent)

Robert E. Lutes
for the Respondent)

Appeal Heard:
February 9, 1993)

Judgment Delivered:
February 9, 1993)

THE COURT: Application for leave to appeal dismissed per oral reasons for judgment of Jones, J.A.; Clarke, C.J.N.S. and Chipman, J.A. concurring.

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

JONES, J.A.:

We see no merit in this appeal even assuming that the notice of appeal raises a question of law. We agree with the reasons given by Anderson, J. in dismissing the appeal from Judge Oxner. The uncontradicted evidence was that the appellant was driving while substantially impaired. The application for leave to appeal is dismissed.

J.A.

Concurred in:

Clarke, C.J.N.S.

Chipman, J.A.

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) REASONS
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