

 **R. v. T.B.**

Ontario Judgments

Ontario Court of Appeal

Toronto, Ontario

D.H. Doherty, S. Borins and S.E. Lang JJ.A.

Heard: February 6, 2008.

Judgment: February 6, 2008.

Docket: C43508

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Between Her Majesty the Queen, Respondent, and T.B., Appellant

(3 paras.)

Case Summary

Appeal From:

On appeal from the convictions entered by Justice N. Kastner of the Ontario Court of Justice on March 6, 2003.

Counsel

R. Craig Bottomley for the appellant.

Megan Stephens for the respondent.

[Editor's note: A corrigendum was released by the Court February 7, 2008; the corrections have been made to the text and the corrigendum is appended to this document.]

APPEAL BOOK ENDORSEMENT

The following judgment was delivered by

THE COURT

1 We do not think that the trial judge placed undue emphasis on the appellant's demeanour. She referred to a "flaw" in the way in which he responded to questions. It was open to her to so find. It, however, played little, if any, role in her assessment of his credibility.

2 Her reasons as a whole do not support the claim that the trial judge misapprehended the evidence relating to the appellant's flight or his relationship with the dog.

3 The appeal is dismissed.

R. v. T.B.

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Corrigendum

Released: February 7, 2008

The citation has been corrected and, in paragraph 1, the word "flow" has been corrected to "flaw".

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