

CANADA / JUDGMENT

Harrison v. British Columbia

2013 BCCA 465

COURT

British Columbia Court of Appeal

DECIDED

23 October 2013

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2013 BCCA 465 Harrison v. British Columbia COURT OF APPEAL FOR BRITISH COLUMBIA

Citation: Harrison v. British Columbia, 2013 BCCA 465 Date: 20131023 Docket: CA037057 Between: Robert Glen Harrison Respondent (Plaintiff) And Her Majesty the Queen in Right of the Province of British Columbia and Joan Bischoff Appellants (Defendants) Before: The Honourable Mr. Justice Lowry The Honourable Mr. Justice Frankel The Honourable Madam Justice A. MacKenzie Application to vary order of a Justice of the British Columbia Court of Appeal, August 23, 2013 (Harrison v. British Columbia, CA037057) Oral Reasons for Judgment Appellant appearing In Person: Counsel for the Respondent: E.L. Ross Place and Date of Hearing: Vancouver, British Columbia October 23, 2013 Place and Date of Judgment: Vancouver, British Columbia October 23, 2013 Summary: Application to vary an order made in chambers dismissing the application for an order compelling the reopening of the appeal. Dismissed.

- [1] LOWRY J.A.: The applicant's action was dismissed by a division of this Court upon hearing the appeal. He made application to the division to reopen the hearing of the appeal and that was denied. He then applied in chambers for the same order and the chambers judge said, "Concerning the application to reopen, it is difficult for me to see how such an application could have any possibility of success."
- [2] Clearly, the application could not have success. The applicant now seeks to have us review the chambers judge's decision and we are all of the view that there is no merit in his application for review, and it is to be dismissed with costs.
- [3] The appellant's signature is dispensed with on the form of order.
- [4] FRANKEL J.A.: I agree.
- [5] A. MACKENZIE J.A.: I agree. "The Honourable Mr. Justice Lowry"

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