

CANADA / JUDGMENT

Osborne v. The Queen

[1984] 2 SCR 406**COURT**

Supreme Court of Canada

DECIDED

1 November 1984

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Osborne v. The Queen Collection Supreme Court Judgments Date 1984-11-01 Report

[1984] 2 SCR 406 Case number 17220 Judges Estey, Willard Zebedee; McIntyre, William Rogers; Chouinard, Julien; Wilson, Bertha; Le Dain, Gerald Eric On appeal from Alberta Subjects Criminal law Notes SCC Case Information: 17220 Decision Content Supreme Court of Canada Osborne v. The Queen, [1984] 2 S.C.R. 406 Date: 1984-11-01 James Robert Osborne Appellant; and Her Majesty The Queen Respondent. File No.: 17220. 1984: November 1. Present: Estey, McIntyre, Chouinard, Wilson and Le Dain JJ. ON APPEAL FROM THE COURT OF APPEAL FOR ALBERTA Criminal law—Evidence—Trafficking conviction — Controlled drug: amphetamine—Standard graph not prepared by analyst but contained in publication provided to him—Whether “evidence to the contrary”—Whether doubt as to the nature of the substance—Admission of wiretap and video tape evidence—Whether accused “manufactured” amphetamine. APPEAL from a judgment of the Alberta Court of Appeal[1], dismissing appellant’s appeal from his conviction on a charge of trafficking in a controlled drug[2]. Appeal dismissed. J. MacLeod Walker, for the appellant. S.R. Fainstein, for the respondent. The judgment of the Court was delivered orally by ESTEY J.—After hearing full argument by counsel for appellant and respondent, we are all of the view that the Court of Appeal committed no error of law in dismissing the appeal from the judgment at trial, and accordingly this appeal is dismissed. Judgment accordingly. Solicitor for the appellant: J. MacLeod Walker, Edmonton. Solicitor for the respondent: Roger Tassé, Ottawa.

[1] Judgment rendered August 24, 1982 and amended January 28, 1983.

[2] Judgment rendered by V.W. Smith J. of the Court of Queen’s Bench on September 18, 1981.

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