

DATE: 20041215
DOCKET: C42655

COURT OF APPEAL FOR ONTARIO

**RE: HER MAJESTY THE QUEEN (Respondent) – and – ROBERT
KEVIN SHERWOOD (Appellant)**

BEFORE: ROSENBERG, MOLDAVER and MacPHERSON J.J.A.

**COUNSEL: Vincenzo Rondinelli
for the appellant**

**Robert Gattrell
for the respondent**

HEARD & December 15, 2004
ENDORSED:

**On appeal from conviction for uttering threat to cause serious bodily harm by
Justice M. O’Dea of the Ontario Court of Justice dated July 7, 2004.**

A P P E A L B O O K E N D O R S E M E N T

[1] Having regard to all of the facts and circumstances and bearing in mind the trial judge’s rejection of the appellant’s evidence, we think it is implicit in the trial judge’s reasons that he was satisfied that the appellant had the requisite intent required to commit the offence of threatening to cause serious bodily harm. Accordingly, we would dismiss the appeal.