

**SUPREME COURT OF CANADA**

|  |  |
| --- | --- |
| **Citation:** R. *v.* Wills, 2014 SCC 73, [2014] 3 S.C.R. 612 | **Date:** 20141120**Docket:** 35804 |

Between:

Brandon Wills

Appellant

and

Her Majesty The Queen

Respondent

**Coram:** Rothstein, Cromwell, Moldaver, Karakatsanis and Wagner JJ.

|  |  |
| --- | --- |
| **Reasons for Judgment:**(para. 1) | Rothstein J. (Cromwell, Moldaver, Karakatsanis and Wagner JJ. concurring)  |

r. *v.* wills, 2014 SCC 73, [2014] 3 S.C.R. 612

Brandon Wills Appellant

v.

Her Majesty The Queen Respondent

**Indexed as: R. *v.* Wills**

2014 SCC 73

File No.: 35804.

2014: November 14; 2014: November 20.

Present: Rothstein, Cromwell, Moldaver, Karakatsanis and Wagner JJ.

on appeal from the court of appeal for ontario

 Criminal law — Reasonable verdict — Evidence — Accused convicted of robbery with firearm, unlawful confinement, disguise with intent to commit indictable offence, and possession of weapon for purpose of committing indictable offence — Whether, given frailties of circumstantial evidence, guilty verdict was one that properly instructed jury, acting judicially, could reasonably have rendered.

 APPEAL from a judgment of the Ontario Court of Appeal (Doherty, Pepall and Benotto JJ.A.), 2014 ONCA 178, 318 O.A.C. 99, 308 C.C.C. (3d) 109, [2014] O.J. No. 1069 (QL), 2014 CarswellOnt 2652, affirming the accused’s conviction and varying the sentence. Appeal dismissed, Cromwell and Karakatsanis JJ. dissenting.

 Carlos F. Rippell and Diana M. Lumba, for the appellant.

 M. David Lepofsky, for the respondent.

 The judgment of the Court was delivered by

[1] Rothstein J. — The majority of the Court is of the view that the appeal should be dismissed for the reasons of Doherty J.A. in the Court of Appeal. Justices Cromwell and Karakatsanis, dissenting, would have allowed the appeal for the reasons of Pepall J.A.

 *Appeal dismissed,* Cromwell *and* Karakatsanis JJ. *dissenting.*

 Solicitors for the appellant: Edward H. Royle & Associates, Toronto.

 Solicitor for the respondent: Attorney General of Ontario, Toronto.