

**SUPREME COURT OF CANADA**

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| **Citation:** R. *v.* Youssef, 2018 SCC 49, [2018] 3 S.C.R. 259 | **Appeal heard:** November 9, 2018  **Judgment rendered:** November 9, 2018  **Docket:** 38036 |

Between:

**Abdullah Youssef**

Appellant

and

Her Majesty The Queen

Respondent

**Coram:** Moldaver, Côté, Brown, Rowe and Martin JJ.

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| **Reasons for Judgment:**  (paras. 1 to 2) | Côté J. (Moldaver, Brown, Rowe  and Martin JJ. concurring) |

R. *v.* Youssef, 2018 SCC 49, [2018] 3 S.C.R. 259

Abdullah Youssef Appellant

v.

Her Majesty The Queen Respondent

**Indexed as: R. *v.* Youssef**

2018 SCC 49

File No.: 38036.

2018: November 9.

Present: Moldaver, Côté, Brown, Rowe and Martin JJ.

on appeal from the court of appeal for ontario

*Criminal law — Evidence — Circumstantial evidence — Unreasonable verdict — Accused convicted of several offences arising out of armed bank robbery — Convictions based on circumstantial evidence of identity — Court of Appeal finding that pieces of circumstantial evidence taken together support reasonableness of verdict and exclude any reasonable alternative to guilt — Convictions upheld.*

**Cases Cited**

**Referred to:** *R. v. Villaroman*, 2016 SCC 33, [2016] 1 S.C.R. 1000.

APPEAL from a judgment of the Ontario Court of Appeal (Laskin, Feldman and Blair JJ.A.), 2018 ONCA 16, [2018] O.J. No. 140 (QL), 2018 CarswellOnt 227 (WL Can.), affirming the convictions of the accused. Appeal dismissed.

Richard Litkowski and Jessica Zita, for the appellant.

Kevin Rawluk, for the respondent.

The judgment of the Court was delivered orally by

1. Côté J. — In our view, having regard to the principles set out by this Court in *R. v. Villaroman*, 2016 SCC 33, [2016] 1 S.C.R. 1000, at para. 55, it was not unreasonable for the trial judge to conclude that the evidence as a whole excluded all reasonable alternatives to guilt, especially given the presence of Mr. Youssef’s DNA on two different pieces of evidence, one of which was connected to the scene of the bank robbery, and the other to the getaway car. When the trial judge’s reasons are read as a whole, and in the context of the evidence and the arguments at trial, we are not persuaded that the trial judge ignored other potential explanations.
2. We would therefore dismiss the appeal.

Judgment accordingly.

Solicitors for the appellant: Hicks Adams, Toronto.

Solicitor for the respondent: Crown Law Office — Criminal, Toronto.