

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

BETWEEN:

HER MAJESTY THE QUEEN,

Applicant

-and-

ALEXIS SIMON

Respondent

AND IN THE MATTER OF AN APPLICATION
BY THE CROWN ATTORNEY OF THE NORTH-
WEST TERRITORIES FOR AN ORDER
CHANGING THE PLACE OF THE TRIAL IN
RESPECT TO THE RESPONDENT HEREIN

Application for an Order directing that the Trial of the
Respondent be held at some convenient place other than
Fort Resolution

Application heard at Fort Resolution, March 7, 1977

Judgment of the Court Filed March 16, 1977

Order Granted

Counsel on the Hearing:

Mr. O. J. T. Troy, Q.C. for the Crown
(Applicant)

Mr. J. E. Richard, for the Respondent

Reasons for Judgment of:

The Honourable Mr. Justice C. F. Tallis

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Counsel on the Hearing:

Mr. O. J. T. Troy, Q.C., for the Crown (Applicant)

Mr. J. E. Richard, for the Respondent

REASONS FOR JUDGMENT OF THE HONOURABLE
MR. JUSTICE C. F. TALLIS

This is an Application on behalf of the Crown for an Order directing that the trial, by jury, of the Respondent accused Alexis Simon be held in a place other than Fort Resolution, Northwest Territories.

The Accused (Respondent) has been charged in an indictment that:

"he on or about the 24th day of December, A.D. 1976 at or near Fort Resolution in the Northwest Territories with intent to wound Nancy Boucher, did cut her with a knife and did cause bodily harm to Nancy Boucher contrary to Section 228(2) of the Criminal Code."

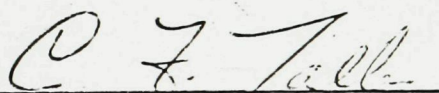
This Application came on before me at Fort Resolution on Monday March 7th and at that time Counsel indicated that the matter could be dealt with on the same basis that was decided by this Court in Regina v. Steve Jim Lafferty.

I have now delivered written Reasons for Judgment in the Lafferty case and in my opinion the Reasons for Judgment in that case are equally applicable to this Application.

I accordingly order and direct that the trial of the accused Alexis Simon be held at Hay River in the Northwest Territories.

Pursuant to Section 527(2) of the *Criminal Code* I also make an order directing payment by the Crown to the Accused of any travelling expenses caused to the accused and his witnesses as a result of this order changing the place of the trial. Leave is reserved to Counsel to apply for further directions with respect to payment of these additional expenses.

Dated at Yellowknife, Northwest Territories this 16th day of March, 1977.


C. F. Tallis, J.S.C.