

w/o

CR 02903

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

BETWEEN:

HER MAJESTY THE QUEEN

- and -

JOHN UTTAK

Application for change of venue, or, alternatively, an order directing the Sheriff to expand the jury panel to include residents of Arctic Bay as well as residents of Nanisivik. Application denied.

Heard at Yellowknife on October 6, 1995

Judgment filed: October 12, 1995

REASONS FOR JUDGMENT OF THE HONOURABLE MR. JUSTICE J.E. RICHARD

Defence Counsel: D. Brice-Bennett

Crown Counsel: S. MacDonald

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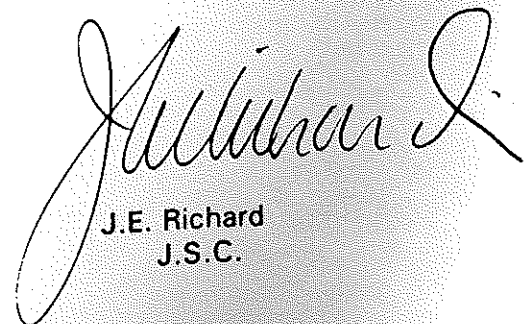
REASONS FOR JUDGMENT

1 In this criminal proceeding the accused is charged with sexually assaulting
the complainant in 1986 at Nanisivik, Northwest Territories, contrary to s.246.1 c.c. He
has elected trial by judge and jury. In June 1995 the Court set the date of his jury trial
as October 23, 1995, at Nanisivik.

2 The accused has made application for a change of venue to Arctic Bay or,
alternatively, for an order directing the Sheriff to include the residents of Arctic Bay in the
"pool" used for selection of the jury panel.

3 For the reasons issued today in *R. v. Esau Tatatoapik* (CR 02904), the
application is denied.

Yellowknife, Northwest Territories
October 12, 1995


J.E. Richard
J.S.C.

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