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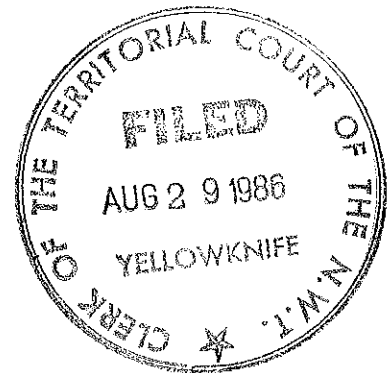
IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- and -

STEVEN IYAGO



Transcript of the oral sentencing delivered by His Honour Judge T.B. Davis, sitting at Baker Lake, in the Northwest Territories, Tuesday, July 15th, A.D. 1986.

APPEARANCES:

MR. B. BRUSER

Counsel for the Crown

MR. A. REGEL

Counsel for the Defence

CHARGE READ:
 JUL 15 1986 DATE
 J.B. DAVIS, JUDGE

CROWN ELECTION:
 Summary Conviction: Indictment:

ACCUSED ELECTION:
 Magistrate: Judge & Jury: Judge:

PLEA: Guilty: Not Guilty:

FAILURE TO APPEAR:
 Bench Warrant Issued:

EVERY TIME THIS INFORMATION IS DEALT WITH APPROPRIATE ENTRIES SHALL BE MADE ON THE REVERSE

COURT NUMBER
121577

J.P. or Judge's Number 1104/61D

THIS IS THE INFORMATION OF John BRUCE
 (Insert full name, residence and occupation of informant)
A Member of the Royal Canadian Mounted Police

of Baker Lake, Northwest Territories
a Peace Officer HEREINAFTER CALLED THE INFORMANT

THE INFORMANT SAYS THAT he has reasonable and probable
grounds to believe and does believe that:

Steven IYAGO

on or about the sixth day of July A.D. 1986, at or near the Hamlet of Baker Lake in the Northwest Territories, did assault Francis IYAGO, Contrary to Section 245 of the Criminal Code.

1:25PM08/07/86 000#1513 A 0077
 #0121577
 FN CC \$200.00
 CHECK \$200.00

DISPOSITION
 Convicted: Dismissed: Withdrawn:
 FINE: \$1000.00
 J.P. COSTS: _____
 POLICE COSTS: _____
 RESTITUTION: _____
 TOTAL: \$1000.00
 DEFAULT: 3 months
 TIME TO PAY: 5 months
 SUSPENDED SENTENCE:
 CONDITIONAL DISCH: ABSOLUTE DISCH:
 PROBATION FOR: 1 Year
 IMPRISONMENT FOR: _____

JULY 15 1986 DATE
 J.B. DAVIS, JUDGE

CARD
 G.P.
 15 Dec 86
 P.S.
 J.P.
 M.V.B.

STATISTICS
 DATE OF BIRTH: 22 JUL 60 M F
 DRIVER'S LICENCE: _____
 MARITAL STATUS: Single

Sworn before me this 8 day of July
 A.D. 19 86

at Baker Lake, Northwest Territories

A Judge or Justice of the Peace in and for the Northwest Territories

Signature of Informant

Appearance Notice Promise to Appear Recognizance

July 19 86 confirmed Justice of the Peace

1 THE COURT: Steven Iyago comes before the Court admitting
2 that he assaulted his father because of an argument that he was
3 having with his sister. He punched his father in the nose and
4 gave him a black eye and swollen cheek. At the time of the
5 offence he was under the influence of alcohol, and when
6 examined indicated that he intended to apologize to his father.
7 Through counsel he has indicated today that he feels embarrassed
8 and sorry for having committed the assault on his father. He
9 comes before the Court, however, with two previous assaults in
10 1985 in October when he was fined One hundred and fifty dollars
11 on one and Three hundred and fifty dollars on the other, and
12 there are a number of offences that appear to relate to problems
13 with alcohol. He is now indicating that he intends to stop
14 drinking, because I presume he is finally realizing that it
15 is having some substantial effect on his life.

16 Crown and Defence have both suggested that a
17 fine might be appropriate, because he has employment in maintenance
18 and supervisory work with the hamlet. He has a good education
19 and has a common-law wife with a six year old child. I am satisfied
20 that a fine is in this instance appropriate, but must suggest
21 to Mr. Iyago that if he were to appear before the Court with
22 any assault in the future, even a minor assault, it is likely
23 that the Court would then have to consider a period of time in
24 jail.

25 The fine in this instance will be in the amount
26 of One thousand dollars, or in default thereof three months in
27 jail. The accused will be placed on probation for a period of

1 one year. One of the terms will be that he will participate
2 in alcohol counselling or treatment programs recommended by
3 the probation officer. In addition thereto, Mr. Iyago will
4 refrain absolutely from the possession or consumption of alcohol
5 for a period of four months. How much can Mr. Iyago pay each
6 month on that fine?

7 MR. IYAGO: Two hundred.

8 THE COURT: You can pay each month Two hundred dollars?

9 MR. IYAGO: Okay.

10 THE COURT: You will be sure to pay that if we allow you five
11 months to pay it?

12 MR. IYAGO: Yeah.

13 THE COURT: All right. The accused will be allowed five
14 months to pay on the understanding that he is to pay at least
15 Two hundred dollars a month. The Clerk will be preparing the
16 probation order, Mr. Iyago, and you will be required to sign it.

17 You understand now that it is a criminal offence
18 if you for the next four months have possession of and consump-
19 tion of alcohol in any way, do you?

20 MR. IYAGO: M'hmm,

21 MR. BRUSER: Your Honour, sometimes when an order is made of
22 no alcohol the Courts do make a further order that he, the person,
23 submit to a breathalyzer analysis if the Police Officer feels
24 he has been drinking.

25 THE COURT: Is there a breathalyzer machine in this community?

26 CST. MABEE: No, there is not sir. Possibly a clause in there
27 that he submit to any sobriety tests when requested to do so

1 by myself or the Police.

2 MR. BRUSER: That would address that issue of my concern, Your
3 Honour.


4 THE COURT: All right. In addition to that so that it can be
5 sure that there is the opportunity of enforcing that absolute
6 restriction on alcohol, I am going to require, as well, that
7 Mr. Iyago submit to any sobriety tests requested by a Peace
8 Officer.

9 MR. BRUSER: Thank you, sir.

10 MR. REGEL: Thank you, Your Honour.

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17 Certified a correct transcript,

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20 _____
21 Jill MacDonald, Court Reporter.