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IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- and -

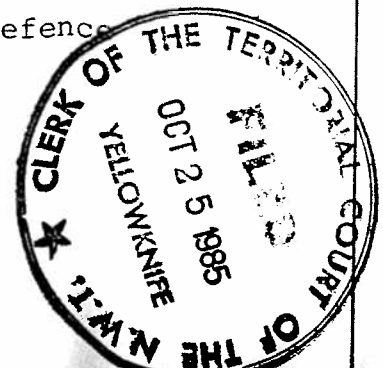
JERRY LOCKHART

Transcript of the oral sentencing delivered by His Honour Chief Judge J.R. Slaven, sitting at Yellowknife, in the Northwest Territories, Wednesday, August 28th, A.D. 1985.

APPEARANCES:

MS. N. BOILLAT Counsel for the Crown

MR. L. GOWER Counsel for the Defence



1 THE COURT: Well, I have heard your submissions and have a
2 pre-sentence report, of course. Mr. Lockhart has been on
3 probation before not to drink, and he is not a good subject
4 for probation. I have to send you to jail for some period
5 of time to try to get through to you, Mr. Lockhart, that you
6 can't be doing things like this.

7 I guess I don't take the matter of bringing
8 beer into Snowdrift and using the suitcase to transport it
9 very heavily. In any event, there were seven charges before
10 me, and I convict you on them all except that I don't convict
11 on the 306(1)(b). I do convict on 306(1)(a). I think
12 obviously I must look at the totality of the term of incarceration-
13 tion. It may be it doesn't matter too much how I allocate
14 it between the seven offences.

15 Stand up, Mr. Lockhart. On my Information
16 number 1624 I convict you of the offence of 306(1)(a), break
17 and enter with intent. I direct you be imprisoned for a period
18 of two months. On my Information number 1675, the breach of
19 probation arising from that, I direct you be imprisoned for
20 a period of one month to be served concurrently. On my
21 Information number 1628, the stolen goods, the suitcase, I
22 direct you be imprisoned for a period of one month to be
23 served consecutively. On my Information number 1626, the
24 breach of probation arising from that, I direct you be
25 imprisoned for a period of one month to be served concurrently.
26 On my Information number 1627, the liquor prohibition matter,
27 I convict you and direct you be imprisoned for a period of

1 one month to be served concurrently. On my Information 1236,
2 the assault on Tommy Lockhart causing bodily harm, I direct
3 you be imprisoned for a period of three months to be served
4 consecutive. On my Information number 1237, the breach of
5 probation arising from that, I direct you be imprisoned for
6 a period of one month to be served concurrently.

7 So, if you check me, I have two months on the
8 B & E, one month on the 312 consecutive, and three months
9 on the assault causing consecutive, a total of six months
10 consecutive time, and there are four concurrent sentences.

11 Jerry, I have seen you before, you're a bright
12 young fellow, and whether you can operate in Snowdrift or
13 operate in Edmonton, I don't know, but you have got to clean
14 up your act. The more you come to Court, the longer you are
15 going to go to jail. It's all up to you. If you have a
16 liquor problem, the people at the jail will try to help you,
17 but it's up to you.

18 MR. GOWER: Your Honour, if I might just clarify.

19 THE COURT: Yes.

20 MR. GOWER: You referred to a breach of probation arising
21 out of the Section 312 offence. I don't have an Information
22 on that.

23 THE COURT: It may be my notes were wrong. It was my
24 Information number 1626 re the 26th of May, to refrain from
25 possession or consumption of alcohol.

26 MR. GOWER: Yes, that was the breach arising from the
27 liquor prohibition violation.

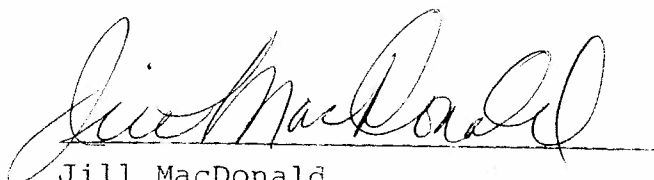
1 THE COURT:

Yes.

2 MR. GOWER:

Okay. Thank you.

13 Certified a correct transcript,

14 

15
16 Jill MacDonald
17 Court Reporter