

IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

VS

JOHN BROCK ORVIS

Transcript of the Oral Sentencing Delivered By His Honour Judge
T. B. Davis, sitting in Yellowknife in the Northwest Territories,
on Tuesday, October 18th, A.D., 1983.

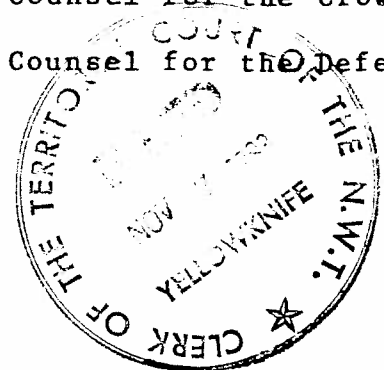
APPEARANCES:

MR. N. SHARKEY:

Counsel for the Crown

MR. C. ROGERS:

Counsel for the Defence





1 THE COURT: Having found that Mr. Orvis was guilty of impaired
2 driving, now receiving notice, which Mr. Orvis has recognized,
3 requiring a sentence to be imposed of at least 14 days in jail
4 on the offence, I will impose 14 days in jail to be served inter-
5 mittently on the suggestion of Defence Counsel. I am doing so
6 Because counsel has pointed out that Mr. Orvis now has recently
7 obtained employment, and serving the time otherwise might, or
8 probably would interfere with his ability to retain his employ-
9 ment.

10 Therefore, I will direct that he serve the 14 days by present-
11 ing himself to the Yellowknife Correctional Center at 7 p.m, on
12 Friday evenings, to commence on Friday the 21st of October, 1983
13 and each weekend thereafter, each Friday thereafter, and to re-
14 main in the center until 7 p.m, on Sunday evenings until this
15 term is served,

16 Because this is his second conviction, I am also going to
17 cancel the driving privileges of the accused for a period of
18 nine months, as has been a custom of the Courts, and it has been
19 directed as a proper consideration by the Appeal Courts in the
20 Northwest Territories.

21 MR. ROGERS: The R.C.M.P. Have custody of his driver's license
22 pending that he would appear in Court today as a condition for
23 his release,

24 THE COURT: All right. Thank you. The arrangements will be
25 made then for cancellation of his driving privileges, for the
26 license to be submitted to the Court at some date by the R.C.M.P
27 so it can be endorsed by the Court.



1 THE CLERK: Sir, could you just ask him if it's an N.W.T.
2 license?

3 THE COURT: Is it a license for the Northwest Territories?

4 THE ACCUSED: Alberta.

5 THE COURT: Well, maybe we will just have to issue an order
6 to the Registrar of Motor Vehicles that the driving privileges
7 have been cancelled in the Northwest Territories as such.

8 Do you understand all that, Mr, Orvis?

9 THE ACCUSED: Yes, I do,

10 THE COURT: The clerk will be preparing the necessary probation
11 order, It's now after five in the evening, A probation order
12 is being required so that you understand that you have to report
13 to the jail on Friday evenings in proper condition, not in an
14 impaired condition, and so that you understand during that perio
15 of time you must keep the peace and be of good behaviour, When
16 would it be convenient, Madame Clerk, for Mr, Orvis to come back

17 THE CLERK: Any time tommorow, sir.

18 THE COURT: Mr. Orvis, when is the most convenient time for
19 you to return to Court to sign the order?

20 THE ACCUSED: At 12:00 or after, From 12 to 1 is my lunch hour.

21 THE COURT: Would that be suitable, Madame Clerk?

22 THE CLERK: Yes, sir,

23 THE COURT: Thank you. The clerk will have the order ready,
24 and it will be on this same floor where you are to sign it. Is
25 there anything else?

26 THE CLERK: Yes, sir, Not with this case, We have one other
27 case, Your Honour.



1 MR. ROGERS: Your Honour, the R.C.M.P. presently have possession
2 of the keys to Mr. Orvis' vehicle. As a condition of his release
3 approximately a month ago, the keys were given to the R.C.M.P.
4 so that Mr. Orvis would remain in the Northwest Territories, and
5 as this matter has been dealt with before the Court, request
6 that the Court order release of the vehicle's keys so that the
7 vehicle may be moved to a permanent position for the next nine
8 months, or whatever is to be done to the vehicle.

9 THE COURT: Is there any difficulty in transferring the infor-
10 mation to the R.C.M.P. who has custody of the keys that they
11 can be released immediately, and I will notify Mr. Orvis today
12 that he himself is certainly not entitled to drive the motor
13 vehicle, but it can be arranged to be driven.

14 MR. SHARKEY: There's no problem.

15 THE COURT: All right, the Court will so order that the keys
16 be returned to Mr. Orvis.

17 (AT WHICH TIME THE PROCEEDINGS WERE CONCLUDED.)

18
19 Certified a correct transcript,

20
21 Brenda MacDougall

22 Brenda MacDougall
23 Court Reporter
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