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IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

vs

ROGER TOM ROY SELAMIO

Transcript of Oral Judgement delivered by His Honour
Judge T. B. Davis sitting at Inuvik in the Northwest
Territories on Tuesday, February 22, A.D. 1983.

APPEARANCES:

MR. D. GATES On behalf of the Crown
MR. C. REHN On behalf of the Defence



1 THE COURT:

2 Roger Tom Roy Selamio has pleaded guilty to
3 three charges before the Court. The charge under Section
4 236 of the Code, which is a violation of the lawful limit
5 in alcohol consumption, shows that he was driving a motor
6 vehicle on the nineteenth of January when the readings on
7 the breathalyzer were two hundred and sixty milligrams in
8 a hundred milliliters of blood, which is considered to be
9 a relatively high reading.

10 On that occasion, the accused had taken a motor
11 vehicle without permission and has pleaded guilty to that
12 charge under Section 295 of the Criminal Code, when he
13 took an unattended motor vehicle that was running while
14 parked in front of a hotel and drove it and was then found
15 to be in the vehicle while intoxicated.

16 He also has pleaded guilty to failing to appear
17 as required in answer to an Appearance Notice.

18 Mr. Selamio has accumulated a substantial
19 record and has spent quite some period of time in jail over
20 the past number of years. He also has acknowledged receipt
21 of the Notice of Intention to apply for an increased
22 penalty under the breathalyzer offence since he had been
23 convicted of similar offences in the past.

24 With regard to the breathalyzer, therefore, I
25 have no alternative but to impose a jail term on the
26 accused and I will impose the minimum term required under
27 the Act of fourteen days.



1 With regard to the taking of the motor vehicle
2 without consent on the same occasion, I will also impose a
3 term in jail because it appears that I have no other altern-
4 ative but to turn to jail terms on these offences and impose
5 a further fourteen days.

6 And with regard to his failure to appear in
7 Court when summonsed to do so, I will impose a further five
8 days in jail, all to run consecutively.

9 Do you understand all that, Mr. Selamio?

10 THE ACCUSED: Yes, sir.

11 MR. GATES: Sir, a total sentence of a month?

12 THE COURT: Pardon?

13 MR. GATES: Fourteen days, plus fourteen days, plus five
14 days?

15 THE COURT: Yes, that's...

16 MR. GATES: Thirty-three days in total.

17 THE COURT: I had intended that the amount would be more
18 than that, but when I look it over on the individual--two
19 weeks for taking the motor vehicle, and so on, that's what
20 it totals, yes.

21 (AT WHICH TIME THE PROCEEDINGS CONCLUDED)

22 -----
23 Certified a correct transcript

24 *Edna Thiessen*
25 _____
26 Edna Thiessen
27 Court Reporter