

File No. _____
E-File Name: 2019-01-23WOP [REDACTED]
Appeal No. _____

IN THE PROVINCIAL COURT OF MANITOBA
WINNIPEG, MANITOBA

IN THE MATTER OF

THE LAW ENFORCEMENT REVIEW ACT
Complaint # 2016-121

AND IN THE MATTER OF

An Application Pursuant to s.13 of the *Law Enforcement Review Act*
R.S.M. 1987, c. L75

BETWEEN

[REDACTED]

Complainant

and

XXXXXX

Respondent

PROCEEDINGS
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January 23, 2019
Winnipeg, Manitoba

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4 January 23, 2019

Afternoon Session

5

6 The Honourable Judge

The Provincial Court of Manitoba

7 B. M. Corrin

8

9 D. Johnston

For the LERA Commissioner

10 P. McKenna

For the Respondent

11 O. Banash

Court Clerk

12

13

14 **Discussion**

15

16 THE JUDGE:

Okay, so as far as number 1, [REDACTED],

17 goes, no one for the record has entered the courtroom. Mr. [REDACTED] apparently has
18 not joined us today. He was aware of today's sitting and his obligation to attend
19 and continue with this matter. No -- and I should also mention because of what
20 you said at the beginning about was on prior to his disposition sheet that it does
21 not appear that any retainer -- any lawyer, retained or unretained, has contacted
22 anybody with respect to this matter, correct, gentlemen?

23

24 MR. JOHNSTON:

As far as I am aware.

25

26 THE JUDGE:

Okay.

27

28 MR. MCKENNA:

That's correct, Your Honour. I haven't
29 been contacted by Mr. [REDACTED] or counsel on his behalf.

30

31 THE JUDGE:

Okay. Okay. So the record indicates that
32 nobody has reached out to either side so to speak to either of the correct lawyers of
33 record on the matter. What do you want to do with it? I guess I should ask Mr.
34 Mckenna. I guess it's really his --

35

36 MR. MCKENNA:

Your Honour, I move to have the
37 application dismissed.

38

39 **Decision**

40

41 THE JUDGE:

The application is dismissed for --

1 essentially, for want of prosecution.

2

3 MR. MCKENNA: And if I could ask for a -- a continued
4 ban on publication, pursuant to Section 13(4.1) of the *Act*.

5

6 THE JUDGE: Yeah. That order is made.

7

8

9

10

11 PROCEEDINGS CONCLUDED

T3

IN THE MATTER OF *THE LAW ENFORCEMENT REVIEW ACT*

AND IN THE MATTER OF [REDACTED] V. XXXXX

I, KARI SHORT, Court Transcriber, HEREBY MAKE OATH AND SAY that the foregoing typewritten pages being numbered T One (T1) to T Two (T2), inclusive, contain a true and correct transcription of the recorded proceedings taken herein to the best of my knowledge, skill and ability.

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