

IN THE MATTER OF: An application pursuant to section 13 of *The Law Enforcement Review Act*, C.C.S.M., c. L75
(L.E.R.A. Complaint No. 3144)

Between:

R,	C. M.)	Andrew Kelly for the Complainant
)	
	Complainant/Appellant)	
)	
- and -)	
)	
CONSTABLE G. W.)	Paul R. McKenna for the Respondents
#)	
and)	
CONSTABLE K. O.)	
#)	
	Respondents)	
)	Denis Guénette
)	for the L.E.R.A. Commissioner

NORTON, P.J.

REASONS FOR DECISION

This matter coming on for hearing this day in the presence of counsel and counsel for the complainant advising me that he has lost contact with the complainant and has no instructions from him, and the complainant not appearing in person, and on hearing the motion of counsel for the respondents to dismiss the application by the complainant pursuant to

section 13(4) of *The Law Enforcement Review Act*, C.C.S.M., c. L75 (hereinafter called the "L.E.R. Act"),

I hereby order:

- (1) the complainant has failed in his application to meet the burden of proof pursuant to section 13(4) of the L.E.R. Act, his application is hereby dismissed;
- (2) in compliance with section 13(4.1) of the L.E.R. Act, a continuation of the ban on publication of the respondents' names.

DATED at the City of Winnipeg, in Manitoba, the 26th day of
October, 2000.



Judge W. E. Norton