## THE PROVINCIAL COURT OF MANITOBA

IN THE MATTER OF: Law Enforcement Review Act Complaint #2013-47 AND IN THE MATTER OF: An application pursuant to s.17(1)of The Law Enforcement Review Act R.S.M. 1987, c. L90 ) Mr. G. Johnson, BETWEEN: ) for the complainant ) Mr. P. McKenna, Complainant, ) for the LERA Commissioner and -Respondent. ) Judgment delivered ) August 24, 2016

## **RESTRICTION ON PUBLICATION**

Pursuant to the Criminal Code of Canada and/or the Youth Criminal Justice Act, there is a restriction on publication regarding this matter.

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HEINRICHS, P.J. (Orally)

It's 2:18, Mr. McKenna. He's not present. He

missed on May 25th. Was present on June 22nd. Said he was

getting a lawyer. Are you prepared to put it over or are

you making an application, or where are we at?

MR. MCKENNA: My, Your Honour, my understanding

was that in his first, he did not attend his first docket
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## Reviewed – Release authorized by Heinrichs, P.J.

- 1 appearance and, and I know that he gave no notice to me of
- 2 not doing so. He was there at the second docket and was
- 3 told that he was to come back today. So this is the second
- 4 time. I have no information that he would not be present.
- 5 He's not contacted me whatsoever. I move to have this
- 6 matter dismissed, Your Honour.
- 7 THE COURT: Any comment from you, Mr. Johnson?
- 8 MR. JOHNSON: Only to add that I haven't been
- 9 contacted by the complainant either.
- 10 THE COURT: No contact at all.
- 11 MR. JOHNSON: Of course, my client would take no
- 12 position.
- 13 THE COURT: Well, it is now almost exactly 2:19
- 14 and no contact from him again. So at this point I'm now
- 15 prepared to dismiss this matter.
- 16