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| NOTICE OF APPEAL UNDER SECTION 116 OF THE *PROVINCIAL OFFENCES ACT* | | | | | | | | | | | | | | | | | | | | |
| *AVIS D’APPEL INTERJETÉ En vertu de l’article 116 de la* Loi sur les infractions provinciales | | | | | | | | | | | | | | | | | | | | |
| ONTARIO COURT OF JUSTICE | | | | | | | (Part III) | | | | | | | | | | Form / *Formule* 1 | | | |
| *COUR DE JUSTICE DE L’ONTARIO* | | | | | | | *(Partie III)* | | | | | | | | | | *Courts of Justice Act* | | | |
| PROVINCE OF ONTARIO | | | | | | |  | | | | | | | | | | Loi sur les tribunaux judiciaires | | | |
| *PROVINCE DE L’ONTARIO* | | | | | | |  | | | | | | | | | | O.Reg. / *Règl. de l’Ont.* 723/94 | | | |
| 1. | / at / *à* | | | | | | | | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | | | | | | | | |
| 2. | Appellant is / *La partie appelante est* | | | | | | | | | | | | | | | | | | | |
|  |  | | | Defendant | | | | | | | | |  | Attorney General | | | |  | Prosecutor | |
|  |  | | | le défendeur (la défenderesse) | | | | | | | | |  | le procureur général | | | |  | le poursuivant | |
| 3. | Name of Appellant: | | | |  | | | | | | | | | | | | | | | |
|  | Nom de l’appelant(e) : | | | | | | | | | | | | | | | | | | | |
|  | Address for service: | | | | |  | | | | | | | | | | | | | | |
|  | Domicile élu : | | | | |
| 4. | Counsel for Appellant: Name: | | | | | | |  | | | | | | | | | | | | |
|  | Avocat(e) de l’appelant(e) : Nom : | | | | | | | | | | | | | | | | | | | |
|  | Address for service: | | | | |  | | | | | | | | | | | | | | |
|  | Domicile élu : | | | | |
| 5. | Name of respondent *(if known)*: | | | | | | | |  | | | | | | | | | | | |
|  | Nom de l’intimé(e) (s’il est connu) : | | | | | | | | | | | | | | | | | | | |
|  | Address for service: | | | | |  | | | | | | | | | | | | | | |
|  | Domicile élu : | | | | |
| 6. | Counsel for respondent *(if known)*: | | | | | | | | |  | | | | | | | | | | |
|  | Nom de l’avocat(e) de l’intimé(e) (s’il est connu) : | | | | | | | | | | | | | | | | | | | |
|  | Address for service: | | | | |  | | | | | | | | | | | | | | |
|  | Domicile élu : | | | | |
| 7. | Decision of Ontario Court of Justice / *Décision rendue par la Cour de justice de l’Ontario* : | | | | | | | | | | | | | | | | | | | |
|  | (include name of Judge or Justice of Peace appealed from, if known): / *inscrire le nom du juge ou du juge de paix dont la décision est portée en appel, s’il est connu*) : | | | | | | | | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | | | | | | | | |
| 8. | Date of decision: / *Date de la décision* *:* | | | | | | | | | |  | | | | | | | | | |
| 9. | The Appellant appeals against: / *L’appelant(e) interjette appel :* | | | | | | | | | | | | | | | | | | | |
|  |  | | | conviction / *de la déclaration de culpabilité* | | | | | | | | | | | | | | | | |
|  |  | | | dismissal / *du rejet de l’accusation* | | | | | | | | | | | | | | | | |
|  |  | | | finding as to ability to conduct a defense / *de la conclusion quant à la capacité du défendeur (de la défenderesse) d’assurer sa défense* | | | | | | | | | | | | | | | | |
|  |  | | | sentence / *de la sentence* | | | | | | | | | | | | | | | | |
|  |  | | | order (s. 161 of the P.O.A.) / *de l’ordonnance (art. 161 de la L.I.P.)* | | | | | | | | | | | | | | | | |
|  |  | | | any other order as to costs. | | | | | | | | | | | | | | | | |
|  | by the Ontario Court of Justice / *de la Cour de justice de l’Ontario* | | | | | | | | | | | | | | | | | | | |
|  | at |  | | | | | | | | | | | | | | | | | | |
|  | *à/au* | | (address of court / *adresse du tribunal*) | | | | | | | | | | | | | | | | | |

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|  | | | | | | | | |  | | | | | | | | |  | | | | | | |  |  | |
| 10. | | | If Defendant is in custody, place where held: | | | | | | | | | | | | | | | |  | | | | | | | | | |
|  | | | Si l’appelant(e) est sous garde, lieu de détention : | | | | | | | | | | | | | | | |
| 11. | | | (a) | | | Description of offence1: / *Description de l’infraction1* | | | | | | | | | | | | | | | | | | | | | | |
|  | | |  | | |  | | | | | | | | | | | | | | | | | | | | | | |
|  | | | (b) | | | Information number *(if known)*: | | | | | | | | | |  | | | | | | | | | | | | |
|  | | |  | | | Numéro de la dénonciation (s’il est connu) : | | | | | | | | | | | | | | | | | | | | | | |
| 12. | | | (1) | | | Statute2 : / *Loi* *2:* | | | |  | | | | | | | | | | | | | | | | | | |
|  | | | (2) | | | Section3 : / *Article3 :* | | | | |  | | | | | | | | | | | | | | | | | |
| 13. | | | Date of offence: / *Date de l’infraction :* | | | | | | | | | | | |  | | | | | | | | | | | | | |
| 14. | | | Plea at trial: / *Plaidoyer au procès :* | | | | | | | | | | |  | | | | | | | | | | | | | | |
| 15. | | | The grounds for appeal are: / *Moyens d’appel :* | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | (specify the question of law or issue where the appeal is from conviction or acquittal or finding as to ability to conduct a defense or specify the ground for appeal against sentence / *préciser la question de droit ou la question en litige lorsqu’il est interjeté appel de la déclaration de culpabilité, de l’acquittement ou de la conclusion quant à la capacité de la partie défenderesse d’assurer sa défense, ou préciser les moyens d’appel contre la sentence*) | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | |  | | | | | | | | | | | | | | | | | | | | | | | | | |
| 16. | | | In support of this appeal, the Appellant relies upon the following: | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | À l’appui du présent appel, l’appelant(e) se fonde sur les documents suivants : | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | (set out documents such as transcript, etc. upon which the Appellant relies / *indiquer les documents, tels que les transcriptions, sur lesquels se fonde l’appelant(e)*) | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | |  | | | | | | | | | | | | | | | | | | | | | | | | | |
| 17. | | | The relief sought is: | | | | |  | | | | | | | | | | | | | | | | | | | | |
|  | | | Mesure de redressement demandée : | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18. | | | The Appellant intends: / *Intention de l’appelant(e) :* | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | |  | | | to be present in person or by counsel and to present the issues and the Appellant’s arguments orally. | | | | | | | | | | | | | | | | | | | | | | |
|  | | |  | | | comparaître en personne ou par l’entremise d’un(e) avocat(e) et débattre les questions en litige et présenter ses arguments oralement. | | | | | | | | | | | | | | | | | | | | | | |
|  | | |  | | | not to be present in person or by counsel and to present the issues and the Appellant’s arguments in writing. | | | | | | | | | | | | | | | | | | | | | | |
|  | | |  | | | ne comparaître ni en personne ni par l’entremise d’un(e) avocat(e) et débattre les questions en litige et présenter ses arguments par écrit. | | | | | | | | | | | | | | | | | | | | | | |
| 19. | | | Does the Appellant intend to make a motion for an order that the appeal be heard by way of a new trial in the appeal court? | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | L’appelant(e) a-t-il(elle) l’intention de présenter une motion en vue d’obtenir une ordonnance prévoyant la tenue de l’appel sous forme d’un nouveau procès devant le tribunal d’appel? | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | |  | | | Yes / *Oui* | | | | | |  | | | | | No / *Non* | | | | | | | | | | | |
| 20. | | | Date: | |  | | | | | | | | | | | | | | |  | | | | | | | | |
| 21. | | | Signature of Appellant or Counsel: | | | | | | | | | |  | | | | | | | | | | | | | |  | |
|  | | | Signature de l’appelant(e) ou de son avocat(e) : | | | | | | | | | | | | | | | | | | | | | | | | | |
| I request a | | | |  | | | | | | | | | | | | | | | | | | | | language interpreter for the appeal. | | | | | |
| Je demande les services d’un interprète de langue | | | | | | | (leave blank if inapplicable / *à remplir, le cas échéant*) | | | | | | | | | | | | | | | | | pour l'appel. | | | | | |
| **NOTES:** | | | | | | | | | | | | | | | | | | | | | | ***REMARQUES :*** | | | | | | |
| (1) | If Appellant’s address for service is that of the Appellant’s Counsel, state Counsel’s full address and Appellant’s own full address. | | | | | | | | | | | | | | | | | | | |  | 1) | Si le domicile élu de l’appelant(e) est celui de son avocat(e), indiquer l’adresse au complet de l’avocat(e) de même que l’adresse au complet de l’appelant lui-même (elle-même). | | | | | |
| (2) | Please notify the clerk of the court in writing immediately of any change of address. The court will communicate with you by mail at the address shown by you in this notice unless you notify the court of a change in your address. | | | | | | | | | | | | | | | | | | | |  | 2) | En cas de changement d’adresse, en aviser immédiatement le greffier du tribunal par écrit. Si le tribunal n’est pas avisé, il communiquera avec vous par courrier à l’adresse indiquée au présent avis. | | | | | |
| (3) | This court of appeal must be filed with the local registrar of the Superior Court of Justice or Ontario Court of Justice. | | | | | | | | | | | | | | | | | | | |  | 3) | Le présent avis d’appel doit être déposé auprès du greffier local de la Cour supérieure de justice ou de la Cour de justice de l’Ontario. | | | | | |
|  | | for example, careless driving / *par exemple, conduite imprudente* | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 2 for example, *Highway Traffic Act* / *par exemple,* Code de la route | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 3 for example, Section 130 / *par exemple, article 130* | | | | | | | | | | | | | | | | | | | | | | | | | | |