

Action No.: A13-3685-85Z
A10-5707-92Z
E-File No.: CCP09VAILLANTGUY
Appeal No.: _____

IN THE PROVINCIAL COURT OF ALBERTA
JUDICIAL DISTRICT OF CALGARY

HER MAJESTY THE QUEEN

v.

GUY VAILLANT

Accused

P R O C E E D I N G

Calgary, Alberta
February 5, 2009

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1 Proceedings taken in the Provincial Court of Alberta, Courthouse, Calgary, Alberta

2

3 February 5, 2009

Morning Session

4

5 The Honourable

Provincial Court of Alberta

6 Judge Anderson

7

8 B. Bauer, Q.C.

For the Crown

9 (No Counsel)

For the Accused

10 S. Schamp

Court Clerk

11 J. Ellerton

Court Clerk

12

13

14 THE ACCUSED:

(OTHER LANGUAGE SPOKEN).

15

16 THE COURT:

Pardon me?

17

18 THE ACCUSED:

(OTHER LANGUAGE SPOKEN).

19

20 MS. BAUER:

He wants to know if he can address you.

21

22 THE COURT:

Well, if you have an interpreter.

23

24 THE ACCUSED:

Okay. I come from another -- I mean,

25 another judge send me here.

26

27 THE COURT:

Okay.

28

29 THE ACCUSED:

And he said the judge would speak French.

30

31 THE COURT:

Well --

32

33 THE ACCUSED:

Because I ask for a trial in French for a ticket.

34

35 THE COURT CLERK:

Duty --

36

37 THE COURT:

All right.

38

39 THE COURT CLERK:

Duty counsel can speak --

40

41 MS. MCCONAGHY:

I can help with this individual, Sir.

1
2 THE COURT: All right. Well, is duty counsel francophone?
3
4 MS. MCCONAGHY: I'm (INDISCERNIBLE).
5
6 THE COURT: All right. Do you speak French?
7
8 MS. MCCONAGHY: (OTHER LANGUAGE SPOKEN).
9
10 THE COURT: All right. So he wants to set a trial date, I
11 gather, in French?
12
13 THE COURT CLERK: Sir, which --
14
15 THE COURT: All right.
16
17 THE COURT CLERK: Which matter is this?
18
19 THE ACCUSED: (OTHER LANGUAGE SPOKEN).
20
21 THE COURT: What's your name, Sir?
22
23 THE COURT CLERK: What's your name?
24
25 THE ACCUSED: Guy Vaillant.
26
27 UNIDENTIFIED SPEAKER: Okay, I'm here, (INDISCERNIBLE)
28 interpreter.
29
30 MS. MCCONAGHY: (INDISCERNIBLE).
31
32 THE ACCUSED: Okay, I don't ask for an interpreter.
33
34 THE COURT: (INDISCERNIBLE).
35
36 MS. MCCONAGHY: (INDISCERNIBLE).
37
38 THE ACCUSED: I ask for a trial in French.
39
40 THE COURT: Yes, I understand that.
41

1 MS. MCCONAGHY: (INDISCERNIBLE). You have to go to the
2 trial coordinator's office on the --
3
4 THE ACCUSED: To the --
5
6 MS. MCCONAGHY: -- fourth floor. (INDISCERNIBLE).
7
8 THE COURT CLERK: I note that the -- the files indicate that it's
9 here to -- for the accused to make an application for a French trial.
10
11 THE COURT: That's fine. You can have your trial in
12 French, but you need to go down and get a date.
13
14 MS. MCCONAGHY: Okay.
15
16 THE ACCUSED: Okay.
17
18 MS. MCCONAGHY: Fourth floor.
19
20 THE ACCUSED: Okay. I -- if I follow this guy?
21
22 MS. BAUER: Yeah.
23
24 THE COURT: Yes.
25
26 (OTHER MATTERS SPOKEN TO)
27
28 THE SHERIFF: Excuse me, Sir.
29
30 THE COURT: It's all right. It's okay. He's just --
31
32 THE SHERIFF: Okay.
33
34 THE COURT: -- coming back from setting a date. Do you
35 have a new date, Sir?
36
37 THE ACCUSED: Yeah, to August 28, 9:30, 307.
38
39 THE COURT CLERK: Sir, if I could just --
40
41 THE COURT: All right, can you --

1
2 THE COURT CLERK: -- pull the file.
3
4 THE ACCUSED: I got two copy.
5
6 MS. BAUER: Just --
7
8 THE ACCUSED: One for --
9
10 THE COURT CLERK: Page 13, Guy Vallant (phonetic).
11
12 THE ACCUSED: Vaillant.
13
14 MS. BAUER: (INDISCERNIBLE) have the yellow one,
15 please.
16
17 THE ACCUSED: Yellow for you.
18
19 THE COURT: All right. And do you have one for yourself?
20
21 THE ACCUSED: But I have a lawyer, and he -- that's the girl
22 tell downstairs, if the date is not good for him, he's going to call and --
23
24 THE COURT: That's fine.
25
26 THE ACCUSED: But I got a lawyer.
27
28 THE COURT: That's no problem.
29
30 THE ACCUSED: It's Gerard Leveque, his name.
31
32 THE COURT: All right. Do you want to put that on the
33 record, Madame Clerk.
34
35 MS. BAUER: How do you spell the last name of the lawyer,
36 please.
37
38 THE ACCUSED: Leveque, L-E-V --
39
40 THE COURT: E-S-Q-U-E.
41

1 THE ACCUSED:

Good.

2

3 MS. BAUER:

Leveque. Thank you.

4

5 THE ACCUSED:

Like Rene Leveque. Do you remember him?

6 Everything is fine?

7

8 THE COURT:

All right, so you have to then appear on that

9 date or --

10

11 THE ACCUSED:

Yes.

12

13 THE COURT:

-- whatever other date is arranged by your

14 lawyer.

15

16 THE ACCUSED:

And it's going to be a trial in French, right?

17

18 THE COURT:

That's correct.

19

20 THE ACCUSED:

Thank you. Have a good one.

21

22 THE COURT:

Thank you, sir.

23

24 THE ACCUSED:

I appreciate. Thank you.

25

26 THE COURT:

That is endorsed for a French trial, right?

27

28 MS. BAUER:

Yes.

29

30 THE COURT:

All right.

31

32

33 PROCEEDINGS ADJOURNED TO 9:30 AM, AUGUST 28, 2009

34

35

36

37

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39

40

41

1 **Certificate of Record**

2

3 I, Lan Espinoza, certify that this recording is a record of the oral evidence of
4 proceedings in the Provincial Criminal Court, held in Courtroom 305, at Calgary,
5 Alberta, on the 5th day of February, 2009, and I and Shawna Schamp were in charge of
6 the sound-recording machine.

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1 **Certificate of Transcript**

2

3 I, Jeannie Rumary, certify that

4

5 (a) I transcribed the record, which was recorded by a sound-recording machine, to the
6 best of my skill and ability and the foregoing pages are a true and faithful transcript of
7 the contents of the record, and

8

9 (b) the Certificate of Record for these proceedings was included orally on the record and
10 is transcribed in the transcript.

11

12

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Jeannie Rumary, Transcriber
Order No. 9128-09-2

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35 Pages: 9

36 Lines: 353

37 Characters: 4816

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39 File Locator: 0c4d8e7cd90f10008001001a4b0a479e

40 Digital Fingerprint: 5f93bffd7c9b899211c0beada125d539e25feb3fdd84e9b4a2447317436a44c4

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