

**NOTICE OF APPEAL
(ATTORNEY GENERAL)**

THE COURT OF APPEAL FOR SASKATCHEWAN

BETWEEN:

HER MAJESTY THE QUEEN

APPELLANT

- and -

**MARLENE JANE CARTER
(DOB: 13-JUN-1971)**

RESPONDENT

**NOTICE OF APPLICATION FOR
LEAVE TO APPEAL
- and -
NOTICE OF APPEAL**

**W. DEAN SINCLAIR
AGENT OF THE ATTORNEY GENERAL
FOR THE PROVINCE OF SASKATCHEWAN
300 - 1874 SCARTH STREET
REGINA, SASKATCHEWAN S4P 4B3**

CACR _____

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(ATTORNEY GENERAL)**

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**MARLENE JANE CARTER
(DOB: 13-JUN-1971)**

RESPONDENT

A. THE ATTORNEY GENERAL WISHES TO APPEAL FROM:

____ ACQUITTAL

X SENTENCE

X FAILURE TO DESIGNATE AS DANGEROUS OFFENDER OR LONG-TERM
OFFENDER

____ OTHER _____
(nature of appeal other than above)

B. PARTICULARS OF ACQUITTAL OR SENTENCE

1. Location of trial or guilty plea: Provincial Court, Saskatoon

2. Name of Judge: The Honourable Judge S.P. Whelan

3. Offences on which conviction entered:

ON OR ABOUT THE 13TH DAY OF JUNE, A.D. 2009, AT OR NEAR SASKATOON, IN THE PROVINCE OF SASKATCHEWAN DID, IN COMMITTING AN ASSAULT ON ASHLEY TOKARCHUK, USE A WEAPON, TO WIT: HANDCUFFS, CONTRARY TO SECTION 267(a) OF THE CRIMINAL CODE;

ON OR ABOUT THE 17TH DAY OF JULY, A.D. 2011, AT OR NEAR SASKATOON, IN THE PROVINCE OF SASKATCHEWAN DID, IN COMMITTING AN ASSAULT ON KATRINA FEDDERSON, USE A WEAPON, TO WIT: HOT WATER, CONTRARY TO SECTION 267(a) OF THE CRIMINAL CODE.

4. Sentence imposed:

#44658836, June 13, 2009, s. 267(a) C.C. - 6 months consecutive, time served
#39985092, July 17, 2011, s. 267(a) C.C. - 6 months consecutive, time served

5. Date of Conviction: 2014 July 24

6. Date of Sentence: 2014 July 24

C. GROUNDS OF APPEAL

THE APPELLANT WISHES TO APPEAL FOR THE FOLLOWING REASONS:

1. That the learned trial judge erred by misinterpreting s. 753(1)(a)(i) and s. 753(1)(a)(ii) of the *Criminal Code*;
2. That the learned trial judge erred by failing to apply the law to the facts as she found them to be; and
3. Such further and other grounds as counsel for the Crown may request and this Honourable Court may allow.

D. LEGAL REPRESENTATION AND ADDRESS FOR SERVICE:

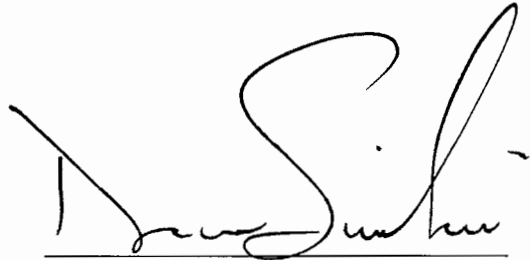
Attorney General for the Province of Saskatchewan

Agent of the Attorney General: W. Dean Sinclair

Address: 300 - 1874 Scarth Street
Regina, Saskatchewan
S4P 4B3

Phone number: 306-787-5490
Fax number: 306-787-8878

Date: 2014 August 7

A handwritten signature in black ink, appearing to read 'W. Dean Sinclair', written over a horizontal line.

Signature

TO: MARLENE JANE CARTER
Respondent

AND TO: REGISTRAR
COURT OF APPEAL FOR SASKATCHEWAN
2425 VICTORIA AVENUE
REGINA, SASKATCHEWAN
S4P 4W6
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