



The Honourable
Judge John J. Enns

The Provincial Court of Manitoba

5th Floor, 408 York Avenue
Winnipeg, Manitoba, Canada
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December 4th, 1998

Mr. M O
Box 74, 2585 McGillivray Boulevard
Winnipeg, MB R2Y 1G5

Dear Mr. O

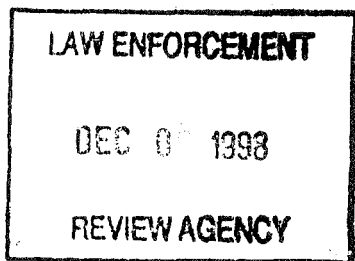
Re: L.E.R.A. Complaint No. 3404

Pursuant to the Notice dated August 25th, 1998 from Ms. Carol Abbott, Director, Judicial Support, in which you were advised that your application pursuant to Sec. 13(2) of the Law Enforcement Review Act to have the decision of the Commissioner of that Agency reviewed as to his decision to take no further action on your complaint, came on for hearing as indicated in that Notice, namely December 3rd, 1998 in Room 321 of the Law Courts Complex, 408 York Avenue, Winnipeg, at 10:00 A.M.

Inquiries were made as to any request by you or on your behalf to have the hearing postponed or the date changed, but neither anyone at the Commissioner's office, the office of Counsel for the Respondent Police Officers, nor at the Judges' offices, requesting such a postponement or change was received.

I also made inquiries about the manner of the investigation and the extent of the progress into your complaint. The Commissioner made it clear that he would have preferred to complete the investigation, but as repeatedly you had not responded, that he came to his decision that you had apparently abandoned your complaint.

In my view of your non-attendance at the scheduled hearing, I came to the conclusion that despite your letter of July 27, 1998 in which you stated you wished to have a referral made to a Provincial Court Judge, that you had also abandoned this request. For these reasons, I therefore dismissed your application for a referral, and that was my ruling on the 3rd day of December, 1998.



Yours truly,

JOHN J. ENNS
PROVINCIAL JUDGE

Copies: Mr. George V. Wright, A/Commissioner, L.E.R.A.
Mr. Paul McKenna, Counsel on behalf of Winnipeg Police Association

NOTE: For the purposes of distribution, personal information has been removed by the Commissioner.