

TURMEL: Marc Emery's "plead guilty" transcript

Source: <http://sci.tech-archive.net/Archive/sci.econ/2004-11/0250.html>

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Date: 11/05/04

Date: 5 Nov 2004 09:43:56 GMT

JCT: Finally, 1) was Emery's lawyer instructed to plead guilty or 2) did she misunderstand Emery's non-discussion of a defence as a desire not to fight?

IN THE PROVINCIAL COURT FOR SASKATCHEWAN
SASKATOON, SASKATCHEWAN

BETWEEN :
HER MAJESTY THE QUEEN
– and –
MARK SCOTT EMERY

August 19, 2004 GUILTY PLEA AND SENTENCE
Lavoie PCJ
Franklin Impey appearing on behalf of the Crown
Leanne Rae Johnson appearing on behalf of the Accused

(A TRANSCRIPT OF A TAPE RECORDING)

THE COURT: All right. We have here the matter of Mark Emery. Is that it? Is it one Information ending in 260?

MS. JOHNSON: That's correct.

MR. IMPEY: That's correct, Your Honour.

THE COURT: Two counts.

MR. IMPEY: Actually, Your Honour, there's just the one count live. Your Honour, there's one charge of trafficking. THE

COURT: Okay, so that's count number one.

MS. JOHNSON: Correct.

THE COURT: All right. Information ending in 260, March 22nd, 2004, unlawfully traffic in a controlled substance, to wit: cannabis marihuana in an amount not exceeding three kilograms, contrary to Section 5(1) of the Controlled Drugs and Substances Act. All right. Is that proceeding to trial or is there going to be a plea on that?

MS. JOHNSON: No, it's not, Your Honour. My instructions this morning — or this afternoon, excuse me, are to enter a plea of guilty to that.

JCT: Her instructions from Marc Emery were to plead guilty which is why she had and Marc had not discussed a defence. The fact no defence was prepared proves Emery did not intend to plead not guilty and fight it so when he said she misunderstood his intention to fight and wrongly pleaded him guilty, he was lying.

THE COURT: All right. Guilty plea recorded to count number one.

JCT: And he didn't jump and indicate correctly that he wanted to fight. Instead, he just bowed down and croaked his failure.

MS. JOHNSON: And we're ready to proceed to sentencing.

THE COURT: All right.

JCT: The rest of the transcript is appended.

>Article #395978 (396190 is last):

>Subject: Re: Canada to relax drug law

>Date: Tue, 2 Nov 2004 01:44:06 -0500

>From: "GEM" <webmaster@gemsgallery.org>

>Newsgroups:

alt.drugs.pot,rec.drugs.cannabis,can.politics,talk.politics.drugs

> *In fact, marijuana use is entirely legal in Canada... but*

> *the government refuses to a*