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File No. CR 14-01-33786

**THE QUEEN'S BENCH
WINNIPEG CENTRE**

IN THE MATTER OF: The Criminal Code of Canada;

AND IN THE MATTER OF: An application for an Order of Judicial Interim Release made pursuant to s. 523(2)(a) of the Criminal Code of Canada.

BETWEEN:

HER MAJESTY THE QUEEN,

- and -

DEAN C CLIFFORD,

(Accused) Applicant.

FILED
QUEEN'S BENCH

FEB 06 2015

LAW COURTS
WINNIPEG

NOTICE OF MOTION (CRIMINAL)
Motions List: February 12, 2015 @ 10:00 a.m.

CAMPBELL GUNN INNESS

Barristers
780 - 444 St. Mary Avenue
Winnipeg, Manitoba
R3C 3T1

Sarah A. Inness
Counsel for the Accused

Telephone: (204) 953-3694

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- and -

DEAN C CLIFFORD,

(Accused) Applicant.

NOTICE OF MOTION (CRIMINAL)

TAKE NOTICE that a motion will be made on behalf of the above named Applicant, DEAN C CLIFFORD, before the presiding Judge in Motions Court, at the Court House, in the City of Winnipeg, in the Province of Manitoba, on Thursday, the 12th day of February, 2015, at the hour of 10:00 in the forenoon, or so soon thereafter as the motion can be heard.

THE MOTION IS FOR:

- 1) An Order granting the Applicant Judicial Interim Release on the charges as set out in the attached Indictment:

THE GROUNDS FOR THE MOTION are pursuant to Section 523(2)(a) of the *Criminal Code of Canada*.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:

- 1) The Affidavit of Dean C Clifford;
- 2) The Affidavit of John Delano Phillips;
- 3) Such further and other material as counsel may advise and this Honourable may permit.

AND FURTHER TAKE NOTICE that the above named Applicant is currently being detained at the Brandon Correctional Centre, Brandon, Manitoba and wishes to be present at the hearing of the motion.

DATED at Winnipeg, Manitoba, this 5th day of February, 2015.

CAMBPELL GUNN INNESS

Per: 

Sarah A. Inness
Counsel for the (Accused) Applicant

TO: Manitoba Justice
Prosecutions Division
5th Floor – 405 Broadway Avenue
Winnipeg, MB
R3C 3L6
Attn: Shauna Silver

AND TO: Public Prosecution Service of Canada
515 – 234 Donald Street
Winnipeg, MB
R3C 3M8
Attn.: Victoria Cornick

DATE OF BIRTH: June 9, 1975

PLACE BEING HELD: Brandon Correctional Centre

NEXT REMAND DATE: May 4, 2015 (PT)

**THE QUEEN'S BENCH
WINNIPEG CENTRE**

HER MAJESTY THE QUEEN

- and -

DEAN C CLIFFORD

INDICTMENT

CHARGE FOR:

Store Firearm

Section: 86 C.C.

Count No. 1-5 – 5 Counts

Possess a Firearm without a Licence

Section: 91 C.C.

Count No. 6-10 – 5 Counts

Possess Firearm with Ammo

Section: 95 C.C.

Count No. 11– 1 Count

Fail to Comply with Condition of Recognizance

Section: 143 C.C.

Count No. 12 – 1 Count

Careless Use of a Firearm

Section: 86 C.C.

Count No. 13 – 1 Count

CANADA

PROVINCE OF MANITOBA

THE QUEEN'S BENCH
WINNIPEG CENTRE

HER MAJESTY THE QUEEN,

- and -

DEAN C CLIFFORD

CHARGE

DEAN C CLIFFORD stands charged:

1. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews in the Province of Manitoba, did store (or handle or transport or ship or display or advertise) a firearm, to wit: Simonov, model SKS semi-automatic rifle in contravention of section 5(1) of *the Storage, Display, Transportation and Handling of Firearms by Individuals Regulations*, made under section 117(h) of the *Firearms Act*, contrary to the Criminal Code of Canada.
2. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews in the Province of Manitoba, did store (or handle or transport or ship or display or advertise) a firearm, to wit: Cooney, model Sure Shot single shot break action shotgun in contravention of section 5(1) of *the Storage, Display, Transportation and Handling of Firearms by Individuals Regulations*, made under section 117(h) of the *Firearms Act*, contrary

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CHARGE

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1. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews in the Province of Manitoba, did store (or handle or transport or ship or display or advertise) a firearm, to wit: Simonov, model SKS semi-automatic rifle in contravention of section 5(1) of *the Storage, Display, Transportation and Handling of Firearms by Individuals Regulations*, made under section 117(h) of the *Firearms Act*, contrary to the Criminal Code of Canada.
2. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews in the Province of Manitoba, did store (or handle or transport or ship or display or advertise) a firearm, to wit: Cooney, model Sure Shot single shot break action shotgun in contravention of section 5(1) of *the Storage, Display, Transportation and Handling of Firearms by Individuals Regulations*, made under section 117(h) of the *Firearms Act*, contrary to the Criminal Code of Canada.

3. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews in the Province of Manitoba, did store (or handle or transport or ship or display or advertise) a firearm, to wit: Lee-Enfield, model no 1 Mark III bolt action rifle in contravention of section 5(1) of *the Storage, Display, Transportation and Handling of Firearms by Individuals Regulations*, made under section 117(h) of the *Firearms Act*, contrary to the Criminal Code of Canada.
4. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews in the Province of Manitoba, did store (or handle or transport or ship or display or advertise) a firearm, to wit: Remington, model 870 Wingmaster pump action shotgun in contravention of section 5(1) of *the Storage, Display, Transportation and Handling of Firearms by Individuals Regulations*, made under section 117(h) of the *Firearms Act*, contrary to the Criminal Code of Canada.
5. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews in the Province of Manitoba, did store (or handle or transport or ship or display or advertise) a firearm, to wit: FIE, model Titan 25 semi-automatic handgun in contravention of section 7(1) of *the Storage, Display, Transportation and Handling of Firearms by Individuals Regulations*, made under section 117(h) of the *Firearms Act*, contrary to the Criminal Code of Canada.
6. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews in the Province of Manitoba, did possess a firearm, to wit: Simonov, model SKS semi-automatic rifle without being the holder of a licence under which he may possess it, contrary to the Criminal Code of Canada.
7. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews in the Province of Manitoba, did possess a firearm, to wit: Cooney, model Sure Shot single shot break action shotgun without being the holder of a licence under which he may possess it, contrary to the Criminal Code of Canada.
8. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews in the Province of Manitoba, did possess a firearm, to wit: Lee-Enfield, model no 1 Mark III bolt action rifle without being the holder of a licence under which he may possess it, contrary to the Criminal Code of Canada.
9. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews in the Province of Manitoba, did possess a firearm, to wit: Remington, model 870 Wingmaster pump action shotgun without being the holder of a licence under which he may possess it, contrary to the Criminal Code of Canada.

10. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews in the Province of Manitoba, did possess a firearm, to wit: FIE, model Titan 25 semi-automatic handgun without being the holder of a licence under which he may possess it, contrary to the Criminal Code of Canada.
11. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews in the Province of Manitoba, did possess a loaded prohibited firearm, together with readily accessible ammunition, and was not the holder of an authorization or licence under which he may possess the firearm, contrary to the Criminal Code of Canada.
12. THAT HE, the said DEAN CLIFFORD, on the 5th day of November, 2013, at or near the City of Winnipeg in the Province of Manitoba, while at large on a recognizance, given to (or entered into before) a justice (or judge), and while bound to comply with the conditions of that recognizance, did fail without lawful excuse to comply with a condition of that recognizance, by being in possession of a firearm contrary to the Criminal Code of Canada.
13. THAT HE, the said DEAN CLIFFORD, on or about the 5th day of November, 2013, at or near the RM of St Andrews the Province of Manitoba, without lawful excuse, did store ammunition in a careless manner, or without reasonable precautions for the safety of other persons, contrary to the Criminal Code of Canada.

DATED at the City of Winnipeg, in the Province of Manitoba, this 10th day of September, 2014.


AGENT OF THE ATTORNEY-GENERAL