

ONTARIO COURT OF JUSTICE

HER MAJESTY THE QUEEN

V.

MICHAEL CHRISTIAENS

E X C E R P T O F P R O C E E D I N G S
P L E A O F G U I L T

BEFORE THE HONOURABLE MR. JUSTICE HORTON

On December 23, 2020, at CHATHAM, Ontario

APPEARANCES:

S. Renaud

Counsel for the Crown

G. Mueller-Wilm

Counsel for Michael Christiaens

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30 Transcript Ordered: December 04, 2021

Transcript Completed: February 03, 2022

Ordering Party Notified: February 04, 2022

1.
R. v. Michael Christiaens
Arraignment

WEDNESDAY, DECEMBER 23, 2020

...

CLERK OF THE COURT: Mr. Christiaens, may I have your date of birth?

MICHAEL CHRISTIAENS: March 8th, '78.

CLERK OF THE COURT: Thank you, starting with information 20-1310, that Michael Roger Christiaens, on or about the 21st day of August in the year 2020, at the Municipality of Chatham-Kent in the said Region, did commit mischief by wilfully damaging, without legal justification or excuse and without colour of right, property, to wit, security cameras of **Address**

[REDACTED], Ontario, the value of which did not exceed \$5,000, contrary to s. 430(4) of the Criminal Code. The Crown has proceeded summarily. To this charge, how do you plead, guilty or not guilty?

MICHAEL CHRISTIAENS: Guilty.

CLERK OF THE COURT: Information 20-1245. Michael Roger Christiaens, on or about the 30th day of August in the year 2020, at the Municipality of Chatham-Kent in the said Region, did commit mischief by wilfully damaging, without legal justification or excuse and without colour of right, property, to wit, fire extinguisher box of Kevin Cornish, C-O-R-N-I-S-H, the value of which did not exceed \$5,000, contrary to s. 430(4) of the Criminal Code. May I have a Crown election?

MS. RENAUD: Is that on 1245, Madam Clerk?

CLERK OF THE COURT: Yes.

5 building. The victim advised that he discovered
damage to his vehicle that would have occurred
overnight that night. His vehicle was parked in
the parking lot of [REDACTED] Address [REDACTED], the
apartment complex. It's a 2017 black Dodge Ram.
Police saw that it had multiple points of damage
to it. There was a golf ball sized dent on the
hood and one on the hood near the windshield.
10 There was also a one-inch puncture to the front
driver's side panel, and police canvassed the
area and located a witness from within the
building. That witness advised that overnight he
observed the accused, Mr. Christiaens, throw an
object at the victim's truck and heard a loud
15 crash when it hit the truck.

Police located the accused in his unit, which is
right on the first floor and directly across from
where the victim's truck is normally parked. And
20 police asked the accused if he knew what
happened, and the accused admitted he threw a
rock at the victim's truck. The police arrested
the accused for mischief. Those are the facts.
MS. MUELLER-WILM: Again, Mueller-Wilm speaking.
25 The facts are admitted, Your Honour.

THE COURT: Thank you. There will be a finding
of guilt based on the submissions of counsel with
respect to information 20-1473, mischief under
\$5,000.

30 MS. RENAUD: Thank you, Your Honour. The final
information is number 20-1496, and this is two
counts of uttering threats. As always, I read

5 directly from the synopsis, and you will see why,
it's very difficult to read the facts alleged
here, but here is what it says. The accused is
Michael Christiaens, again, he was residing at
Address in Wallaceburg at the time,
and the victim is the same victim as the last
mischief, named Keron Forbes, also living in the
apartment complex, but in a different unit.

10 On October 22nd, 2020 at about 9:45 p.m., so this
is a few days after the accused was charged with
damaging this same victim's vehicle, police were
called and to the apartment complex to speak with
the victim, who said he had been threatened. The
15 victim told police that he was returning from
doing groceries, he returned to the apartment
complex, and when he did the accused was standing
outside of his apartment, which is on the bottom
floor of the building, facing the parking lot.

20 The victim told police that as he was parking his
vehicle, the accused started yelling at the
victim "nigger" several times. The victim stated
that the accused then said to him "Do you want me
to come over there and punch you in the face and
25 throw a rock through your windshield?" The
victim stated that the accused then went inside
the apartment, at which time the victim called
the police. Another tenant in the building had
also witnessed the incident, so another witness
30 who lives there. The witness heard the accused
yelling "nigger" at the victim several times. He

told him that he was going to come down to the parking lot and fight the victim. The witness overheard that.

5 The officer attended the accused's unit and spoke with the accused's mother, who said that the accused was not home. The police asked the accused's mother if she had heard the yelling and the mother did indeed confirm that she heard her son, the accused, yelling the word "nigger" outside and also hear him yelling, "Go back to Africa." At about 12:07 a.m. that night the accused was located at his apartment unit, and he was placed under arrest. He has been in held in custody. Those are the facts.

15 MS. MUELLER-WILM: Again, Mueller-Wilm speaking. The facts are admitted.

20 THE COURT: Thank you. The elements of the offence both in relation to count two and count three, pursuant to information 20-1496, have been established based on the submissions of counsel and confirmed by Ms. Mueller-Wilm on behalf of Mr. Christiaens. There will be a finding of guilt with respect to both those counts.

25 MS. RENAUD: Thank you, that completes the facts of the informations before you, Your Honour. The Crown, so Mr. MacDonald did send over a copy of the accused's criminal record, it would be two pages with entries ranging from 1996 through the court in Chatham, through to only 1999, adult court in (indiscernible).

30 THE COURT: Thank you. Ms. Mueller-Wilm, is that

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Submissions by Ms. Mueller-Wilm

the record you have as well?

MS. MUELLER-WILM: Yes, I do, Your Honour, thank you.

THE COURT: That record is admitted?

MS. MUELLER-WILM: Yes, it is.

THE COURT: It will be marked as exhibit one, thank you.

EXHIBIT NUMBER 1: Criminal Record - produced and marked.

THE COURT: Ms. Mueller-Wilm, submissions?

[REDACTED]

[REDACTED]

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18.
Certification

Certificate of Transcript
Evidence Act, Subsection 5(2)

I, Elaine Paquette, certify that this document is a true and
5 accurate transcript of the recording of December 23, 2020, in
the Ontario Court of Justice held at 425 Grand Avenue West,
Chatham, Ontario taken from Recording 1611-CR301-20201223-
093129-6-HORTONROB which has been certified in Form 1 by Patti
Vermeersch.

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February 3, 2022

Date

Elaine Paquette
Authorized Court Transcriptionist

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