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Finding.*

*To be struck out except in cases where trial has taken place on a plea of "Not Guilty."

The Court is closed for the consideration of the finding.

~~C.A. (C) F.O. 3262 complied with.~~
~~The Court find that the accused~~

JUDGE ADVOCATE: "In view of the fact that the accused plead guilty to the 2nd charge, normally it would be necessary to read the Summary of Evidence concerning that charge, but I do not think that it is necessary in this case because the Defence called the two witnesses, Lieut. Nedvad and Lieut. Swards, whose evidence form the basis of the 2nd charge, and I noted particularly that they followed rather carefully the evidence they gave in the Summary of Evidence. Therefore I submit that it is not necessary to read the evidence of these two witnesses at this time."

THE PRESIDENT: "That is satisfactory to the Prosecutor and the Defence, is it?"

PROSECUTOR: "Yes, Sir."

DEFENDING OFFICER: "Yes, sir."

THE COURT FIND THAT THE ACCUSED: Captain Gordon Roy Fuller, on the strength of No. 1 Sub Depot, No. 1 C.B.C.D. (BOCC) an officer of the Canadian Army Overseas, is guilty of the first charge.

The finding and sentence with regard to the first charge being subject to confirmation will be promulgated at a later date.

*When the Court is already open this sentence will be struck out. Evidence of character, &c.

PROCEEDINGS ON CONVICTION before Sentence.

*The Court being re-opened, the accused is again brought before it.

is duly sworn.

Question by the President.

Have you any evidence to produce as to the character and particulars of service of the accused? *Answer by the Witness.*

~~The above statement with the schedule of convictions and of cases in which trial has been dispensed with is read, marked, signed by the President, and annexed to the proceedings.~~

Question by the President.

Is the accused the person named in the statement which you have heard read? *Answer by the Witness.*

Question.

Have you compared the contents of the above statement with the regimental books? *Answer.*

Question.

Are they true extracts from the regimental books, and is the statement of entries in the conduct sheets a fair and true summary of those entries? *Answer.*

Cross-examined by the accused.

(Instruction - If by reason of the nature of the service of the accused in a departmental corps, or otherwise, the finding of the Court renders him liable to any exceptional punishment in addition to that to be awarded by the Court the prosecutor must call the attention of the Court to the fact, and the Court must inquire into the nature and amount of that additional punishment.)

Question to the accused.

Do you wish to address the Court? *Answer. No, Sir.*

~~The Court is closed for the consideration of the sentence.~~

DEFENDING OFFICER: "The character evidence has already gone in sir, and there is nothing I wish to add to my remarks made (5) previously."

THE COURT IS CLOSED FOR CONSIDERATION OF SENTENCE.

~~ORO 3262 is complied with.~~

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