

Accused: Israt Khan

Charge:

s. 349(1), s. 430(1)(c),
s. 811

File No.: RNC 2016-17578

Detachment:

St. John's

DISCLOSURE RECEIPT FORM

GENERAL OFFENCES

This disclosure package contains the following documents:

☒	Information	(1	pages)
☐	PIS / Case Report	(	pages)
☒	General Occurrence Reports	(16	pages)
☐	Supplementary Occurrence Reports	(	pages)
☐	Dispatch Report	(	pages)
☒	Appearance Notice	(1	pages)
☒	Recognizance	(2	pages)
☐	Warrant	(	pages)
☐	Notice of a Court Hearing to a Parent or Adult	(	pages)
☒	Notice to Person Charged with Offence(s)	(1	pages)
☐	Request for Identification Services	(	pages)
☐	Subject Profile and/or Photo Lineup	(	pages)
☐	Request for and/or Previous Convictions Report	(	pages)
☐	CPIC Printout	(	pages)
☐	Probation Order	(	pages)
☐	Exhibit Report / Property Report	(	pages)
☐	Retail Security Report and/or Store Receipt	(	pages)
☐	Photographs	(	pages)
☒	Statement of: Deidre Nungnik – 2 pages		
	Allistar Drysdale -1 page		
	Israt Khan – 3 pages		
	Cst. Aylward – 2 pages		
☒	Notes of:	(	pages)
☐	Expert Reports	(	pages)
☐	Consent for Release of Medical Records	(	pages)
☐	Medical Records	(	pages)
☐	Witness / Victim List / R7	(	pages)
☒	Other: Crown's Sentencing Offer on Early Guilty Plea – 1 page		
	Handwritten rental agreement of Israt Khan – 1 page		

This file was vetted by Erin Matthews on April 14, 2016 for the purpose of disclosure to Bob Buckingham.

I, _____, acknowledge receipt of the disclosure documents on _____ (date).



Information

CANADA
Province of Newfoundland and Labrador

CANADA
Province de Terre-Neuve-et-Labrador

Dénonciation

This is the information of CST. K.A. MURPHY #796

a member of Royal NL Constabulary

de (name)

de (address)

(occupation)

hereinafter called the informant.

ci-après appelé le dénonciateur/la dénonciatrice.

On behalf of Her Majesty the Queen the informant says that he/she
has reason to believe and does believe that

au nom de Sa Majesté la Reine le dénonciateur/la dénonciatrice
déclare qu'il/elle a des raisons de croire et coit que

1 ISRAT KHAN
1979 08 15 (FEMALE)
263 EMPIRE AVENUE
ST. JOHN'S, NL

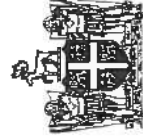
709-749-3601

COUNT NO: 1 16-17578 CST. D. AYLWARD
ON OR ABOUT THE 1ST DAY OF APRIL, A.D., 2016, AT OR NEAR ST. JOHN'S, IN THE PROVINCE OF NEWFOUNDLAND AND
LABRADOR, WITHOUT LAWFUL EXCUSE, DID ENTER THE DWELLING HOUSE OF DEIDRE NUNGNIK, SITUATED AT 263B
EMPIRE AVENUE, WITH INTENT TO COMMIT AN INDICTABLE OFFENCE THEREIN THEREBY COMMITTING AN OFFENCE
CONTRARY TO SECTION 349(1) OF THE CRIMINAL CODE.

COUNT NO: 2 16-17578 CST. D. AYLWARD #862
ON OR ABOUT THE 1ST DAY OF APRIL, A.D., 2016, AT OR NEAR ST. JOHN'S, IN THE PROVINCE OF NEWFOUNDLAND AND
LABRADOR, DID WILFULLY OBSTRUCT, INTERRUPT OR INTERFERE WITH THE LAWFUL USE, ENJOYMENT OR OPERATION
OF PROPERTY TO WIT: 263B EMPIRE AVENUE THEREBY COMMITTING AN OFFENCE CONTRARY TO SECTION 430(1)(c)-430(3)
OF THE CRIMINAL CODE.

COUNT NO: 3 16-17578 CST. D. AYLWARD #862
ON OR ABOUT THE 1ST DAY OF APRIL, A.D., 2016, AT OR NEAR ST. JOHN'S, IN THE PROVINCE OF NEWFOUNDLAND AND
LABRADOR, BEING A PERSON WHO IS BOUND BY A RECOGNIZANCE, DATED THE 23RD DAY OF FEBRUARY, A.D., 2016,
ENTERED INTO BEFORE A JUSTICE, DID UNLAWFULLY COMMIT A BREACH OF THE SAID RECOGNIZANCE, NAMELY: KEEP
THE PEACE AND BE OF GOOD BEHAVIOUR THEREBY COMMITTING AN OFFENCE CONTRARY TO SECTION 811 OF THE
CRIMINAL CODE.

Sworn before me this Assermenté devant moi	07th A.D.	day of jour de
April at/a	en l'an de grâce ST. JOHN'S	2016
Informant / Dénonciateur ou Dénonciatrice		
A Justice of the Peace for Newfoundland and Labrador Juge de paix pour Terre-Neuve-et-Labrador		
Form/Formule 2 Part 1	Liaison Office N 0116L01118	Court File Number
Confirmed/Confirmed		
☐ Summons/Assignment ☒ Appearance Notice/Citation à Comparaitre ☐ Promise To Appear/Promesse De Comparaitre ☐ Recognizance/Engagement		
A Justice of the Peace for Newfoundland and Labrador Juge de paix pour Terre-Neuve-et-Labrador		
YYYY/MM/DD AAAA/MM/JJ		
Disclosure		



COURT Provincial

TRIBUNAL _____

APPEARANCE NOTICE ISSUED BY A PEACE
OFFICER TO A PERSON NOT YET CHARGED
WITH AN OFFENCE

(Section 493)

2016-17578

(article 493)

Canada
Province of Newfoundland and Labrador

Canada
Province de Terre-Neuve-et-Labrador

To Israt Khen 79-08-15
of 263 Empire Ave, St-John's, NL

A _____

de _____

You are alleged to have committed (set out substance of offence):

Il est allégué que vous avez commis (indiquer l'essentiel de l'infraction).

S. 349.1 - ccc - unlawfully in a dwelling x1

S. 430.1(1)(c) - ccc - interfering with lawful use and enjoyment of property x1

1. You are required to attend court on Tues day, the
26 day of April A.D. 2016 at
9:30 o'clock in the fore noon, in courtroom NO. 7 at
Provincial court, in the municipality of St. John's and
to attend thereafter as required by the court, in order to be dealt with
according to law.

1. Vous êtes requis d'être présent au tribunal le _____ jour de _____ en l'an de grâce _____, à _____ heures, à la
salle d'audience no _____, à (tribunal), dans la municipalité de _____, et d'être présent par la suite selon les exigences du
tribunal, afin d'être traité selon la loi.

2. You are also required to appear on Tues day, the
19 day of April A.D. 2016 at
10:00 o'clock in the fore noon, at RNC
hodgevoters (police station), 1 Fort Burdend
St. John's, NL (address), for
the purpose of the Identification of Criminals Act.
(Ignore if not filled in.)

2. Vous êtes en outre requis de comparaître le _____ jour
de _____ en l'an de grâce _____, à _____ heures, au
_____ (poste de police)
_____ (adresse), pour
l'application de la Loi sur l'identification des criminels. (Ne pas tenir
compte de cet alinéa s'il n'est pas rempli.)

You are warned that failure to attend court in accordance with this
appearance notice is an offence under subsection 145(5) of the Criminal
Code.

Vous êtes averti que l'omission d'être présent au tribunal en conformité
avec la présente citation à comparaître constitue une infraction prévue
au paragraphe 145(5) et (6) du Code criminel.

A young person's right to legal counsel

You have the right to have a lawyer advise and represent you. You can
hire a lawyer yourself, you can ask Legal Aid for a lawyer, or you can ask
a Judge in the Youth Justice Court to appoint a lawyer for you.

Issued at 3:55 a.m./p.m. this 2 day of
April A.D. 2016 at St. John's

Délivré à _____ heures, ce _____ jour de _____ en l'an de
grâce _____, à _____

Inf. by A 862
(Signature of peace officer)

(Signature de l'agent de la paix)

[Signature]
(Signature of accused)

(Signature du prévenu)



RNC

GENERAL OCCURRENCE HARDCOPY

BREAK & ENTER OTHER

GO# 2016-17578

DISCLOSURE

Purpose: **DISCLOSURE**

Date Released: **Monday, 2016-Apr-04**

Time Released: **11:56**

Authorized by: **417-WALL, RICK**

Released by: **417-WALL, RICK**

RELEASED TO

Business: **DISCLOSURE FOR**

Person: **KHAN, ISRAT**

*** CONFIDENTIAL ***



RNC

GENERAL OCCURRENCE HARDCOPY

GO# 2016-17578

BREAK & ENTER OTHER

General Occurrence Information

Main offence: **BREAK & ENTER OTHER - COMPLETED**
Operational status: **AWAITING DISPOSITION**
Location: **263 EMPIRE AV, ST JOHNS**
District: J Zone: 4 Atom:
Approved on: **Saturday, 2016-Apr-02** by: **C268 TAYLOR, ASHLEY**
Reported on: **Friday, 2016-Apr-01 09:38**
Occurred on: **Friday, 2016-Apr-01 09:38**
Submitted by: **862 AYLWARD, DANIEL**
Downtime in minutes: **391**

CCJS Information

CCJS Status: **CLEARED BY CHARGE**
Offences committed: **BREAK & ENTER OTHER - COMPLETED**
MISCHIEF - COMPLETED
DOMESTIC DISTURBANCES - COMPLETED

Location type: **DWELLING UNIT**
Reported by: **PAPERLESS - MRE**

Related Event(s)

CP 2016 - 17578

Related Person(s)**1. CHARGED 1 - KHAN, ISRAT (Case-specific)**

Sex: **FEMALE**, Born on: **1979-Aug-15**
Residing at: **263 EMPIRE AV, ST JOHNS**
NEWFOUNDLAND & LABRADOR

Phone numbers

Type	Phone #	Ext.
HOME	(709) 749-3601	(Primary)

Linkage factors

Ethnicity: **CAUCASIAN**
Accused status: **CHARGED OR CHARGES RECOMMENDED**
Processed on: **04/02/2016** with:
1 count(s) under **CRIMINAL CODE 349(1)**
1 count(s) under **CRIMINAL CODE 430(1)(c)**

Master Name Summary

Name: **KHAN, ISRAT**
Sex: **FEMALE**, Born on: **1979-Aug-15**
Residing at: **263 EMPIRE AV, ST JOHNS**
NEWFOUNDLAND & LABRADOR

Phone numbers

*** CONFIDENTIAL ***



RNC

GENERAL OCCURRENCE HARDCOPY

GO# 2016-17578

BREAK & ENTER OTHER

Type	Phone #	Ext.
HOME	(709) 749-3601	(Primary)

2. WITNESS 1 - DRYSDALE, ALLISTAR (Case-specific)

Sex: MALE, Born on: 1970-Aug-26
Residing at: [REDACTED]
NEWFOUNDLAND & LABRADOR

Master Name Summary

Name: DRYSDALE, ALLISTAR
Sex: MALE, Born on: 1970-Aug-26
Residing at: [REDACTED]
NEWFOUNDLAND & LABRADOR

3. COMPLAINANT 1 - NUNGNIK, DEIDRE (Case-specific)

Sex: FEMALE, Born on: 1982-May-16
Residing at: 263B EMPIRE AV, ST JOHNS
NEWFOUNDLAND & LABRADOR

Phone numbers

Type	Phone #	Ext.
HOME	[REDACTED]	(Primary)
CELLULAR	[REDACTED]	(Primary)

Particulars

Ethnicity: ABORIGINAL
Remarks: MAIN RD BOX 16 GEN DEL

Linkage factors

Ethnicity: ABORIGINAL

Master Name Summary

Name: NUNGNIK, DEIDRE
Sex: FEMALE, Born on: 1982-May-16
Residing at: 263B EMPIRE AV, ST JOHNS
NEWFOUNDLAND & LABRADOR

Phone numbers

Type	Phone #	Ext.
HOME	[REDACTED]	(Primary)
CELLULAR	[REDACTED]	(Primary)

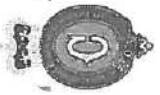
Complaint Information

Incident Location
Address: 263 EMPIRE AV
Zone: 4 Telephone no: (709) -

General Information

Type: FOLLOWUP
Case type: UNKNOWN TROUBLE - IN PROGRESS Priority: 1

*** CONFIDENTIAL ***



RNC

GENERAL OCCURRENCE HARDCOPY

GO# 2016-17578

BREAK & ENTER OTHER

Time received:

Dispatched: Enroute:

Scene:

Cleared: 11:52:14

How received: TELEPHONE

Unit ids: #1 - 222 #2 - 255

Call taker ID: CT2 PHILLIPS, CHERYL

Complainant Information

Home telephone: (709) -

Business telephone: (709) -

Clearance Information

Remarks: REPORT TO FOLLOW

Final Case type: DISTURBANCE - DOMESTIC

Reporting officer1: 862- AYLWARD, DANIEL

Report expected: YES

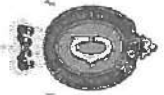
Founded: YES

Cleared by: NO FURTHER ACTION [NOTES / REMARKS REQUI

Additional Remarks

1656007 04/01/2016 NOT GOOD ENGLISH, SOMETHING ABOUT GETTING PEOPLE OUT CT2 C180
093947 PHILLIPS, CHERYL

*** CONFIDENTIAL ***



RNC

GENERAL OCCURRENCE HARDCOPY

GO# 2016-17578

BREAK & ENTER OTHER

Narrative: CROWN ATTORNEY CASE REPORT - 1

KHAN, ISRAT

Author: 862 AYLWARD, DANIEL

Related date/time: Sunday, 2016-Apr-03 22:29

Crown Attorneys Case Report

Please indicate Yes or No to the following

Criminal Record [NO] If Yes Attached [] To follow []

Bail Hearing Recommended

If yes give reason []

Remain away from business []
Prohibit contact with victim [YES]
Is a danger to others []
Is a mental health issue []
Should be prohibited from firearms []
Known to be a drug/alcohol abuser []
Is already in custody on other matters []

Additional Information

[]

Victim Services Information (mandatory completion)

Victim / Complainant informed of opportunity
to complete Victim Impact Statement [NO]

Victim / Complainant referred to Victim Services for assistance? [NO]

If yes indicate referral type [] Written [] Verbal [] Self

Is it safe for the victim if Victim Services staff contacts him/her

[] YES [] NO

Property (Property offence only):

Articles: [] Stolen [] Damaged

Owner: []

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RNC

GENERAL OCCURRENCE HARDCOPY

GO# 2016-17578

BREAK & ENTER OTHER

Owner:Telephone (Res) [] Owner:Telephone (Bus) []
Restitution []
[] CPIC Check

Exhibits

Ident []
Ident Officer: []
Exhibits to Lab []

Disposition of Exhibit:

[] Held by Police [] Photographed by Police and returned to Owner

Restitution of Information

Describe Item(s) damaged or stolen: (include Model and Serial Numbers)
[]

Replacement Cost \$[]

[] Receipt Attached

Personal Injury Information

Describe Nature of Injury:

Attending Doctor, Including Address and Phone Number:

[] Medical Report Attached

Pecuniary Information

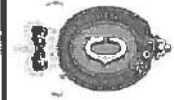
Type of Loss:

[] Wages [] Housing [] Transportation
[] Other - Specify []

Total Loss: \$[]

[] Financial Report Attached

*** CONFIDENTIAL ***



RNC

GENERAL OCCURRENCE HARDCOPY

GO# 2016-17578

BREAK & ENTER OTHER

Completed by:

Member: [Cst. Aylward

] REG: [862]

Date: [2016-04-03]

Case Summary:

[2016-04-01 - 0940HRS

Cst. Aylward and Cst. Torres responded to 263 Empire avenue for unknown trouble. Complainant Israt Khan called police screaming and yelling about getting two people she did not know out of the house. The calling taker had a hard time understanding Ms. Khan before she hung up. Once on scene police observed Ms. Khan in the doorway of 263B Empire avenue throwing clothes out the door onto the driveway. Once in the residence police observed coffee tables flipped over, entertainment system tipped over with television on the ground, bookcase tipped over and clothes all over the apartment as well as in the driveway. IDENT attended scene and obtained pictures of the apartment.

Police spoke to Ms. Khan who stated that she wanted the tenants out of her apartment now. Cst. Torres escorted Ms. Khan out of the apartment while Cst. Aylward spoke to the tenants Deidre Nungnik and Allistar Drysdale. Ms. Nungnik provided police with a hand written rental agreement between herself and Ms. Khan dating back to February 12, 2016 for the amount of \$790.00 a month utilities included. Ms. Nungnik and Mr. Drysdale both provided a statement saying that around 8:30am on the morning of April 1, 2016 Ms. Khan began to knock and kick the door of their apartment. When Ms. Nungnik did not answer the door Ms. Khan went upstairs and got a key and entered the apartment without any prior notice, which under the landlord tenant act is a written notice 24 hours in advance. Once in the apartment Ms. Khan began yelling "get out" repeatedly while she began throwing everything around and tipping furniture over. She was in the apartment for roughly 10 minutes then police showed up.

Ms. Nungnik also stated that she has been living in that apartment with Rick Bennett for almost two years but he got locked up in January and thats when she took over the lease. She is currently behind one month rent and thats why she believes Ms. Khan came down and destroyed her apartment.

While police where speaking to Ms. Nungnik and Mr. Drysdale and the investigation was ongoing Ms. Khan left in her vehicle, before she left she shut off the power to the apartment. After statements where taken police called Ms. Khan to return to the scene to speak but she refused.

1120HRS

Ms. Nungnik gathered some belongings and left to stay with a friend until she could find another place to live because she's afraid if she stays at 263B

*** CONFIDENTIAL ***



RNC

GENERAL OCCURRENCE HARDCOPY

GO# 2016-17578

BREAK & ENTER OTHER

Empire avenue Ms. Khan will return and destroy her property.

1320HRS

Spoke to Kenny King of Landlord Tenants act and advised of situation with Ms. Khan. He stated that under the act Ms. Khan had no right to enter that dwelling without written notice nor did she have the right to shut off the power. He also advised that this isn't the first time that Ms. Khan had abused her powers as a landlord.

2016-04-02 - 1545HRS

Attended TRC and met with Ms. Khan at the front office, read Ms. Khan her rights and caution to which she understood and declined to speak to a lawyer.

1555HRS

Advised Ms. Khan of her charges and provided her with her appearance notice and RNC form #262, explained all to which she understood and signed.

At this time Ms. Khan advised that she would like to give a caution statement. She stated that Ms. Nungnik was given a verbal notice that she will be by for rent 830am 2016-04-01 she also stated that she has this in a text message but unable to provide proof at this time. Also advised Ms. Khan that the landlord tenant act states that a WRITTEN NOTICE has to be delivered with 24 hours notice before entry, Ms. Khan has been a landlord for many years and she is well aware she needs to deliver this notice before entering their dwelling.

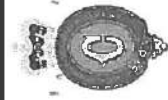
The following charges are recommended for Israt Khan 1979-08-15 for unlawfully entering a dwelling and proceeding to interfere with the lawful use and enjoyment of property

1)S.349.1 - CCC - Unlawfully in a dwelling X 1

2)S.430(1)(c) - CCC - Interfering with lawful use and enjoyment of property X 1

]

*** CONFIDENTIAL ***



RNC

GENERAL OCCURRENCE HARDCOPY

GO# 2016-17578

BREAK & ENTER OTHER

Narrative: FILE CONCLUSION - 1Conclusion

Author: 862 AYLWARD, DANIEL

Related date/time: Monday, 2016-Apr-04 01:11

File Conclusion Form

RNC File #: [2016-17578]

Concluding Remarks
[Charges laid

Please conclude

Has all property/persons been added/removed from CPIC/ICAN? [] Yes [] No
Complainant Notified? [X] Yes [] No Reg.#: []

Date: [2016-04-02] Time: []

How Notified? [X] In Person [] By Telephone [] By Letter
[] Message Left With:[
Type of Fraud

Number of Counts: []

[] Not Applicable [] Securities/Financial Instruments

[] Cheque [] False Claims - Insurance

[] Transaction Card [] False Claims - Government

[] Telemarketing [] Computer [] Other

Motor Vehicle Recovery

[] Unknown

[] Destroyed - Burned

[] Not Recovered

[] Condition Unknown

[] Recovered - No Damage

[] Recovered - With Damage

[] Parts and/or Accessories Missing

[] Not applicable

[] Destroyed - Not Burned

Person Who Found Vehicle

Name:

[]

Location:

[]

Date: []

Time: []

CCJS

[] Unfounded

[] Accused Under 12 Years of Age

[] Not Cleared

[] Accused Committed to Mental Hospital

[] Cleared by Charge

[] Accused Outside Canada, Cannot be Returned

[] Suicide of Accused

[] Complainant Declined to Lay Charges

[] Death of Accused

[] Accused Involved in Other Incidents

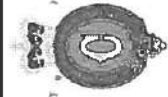
[] Death of Complainant

[] Accused Already Sentenced

[] Beyond Control of Dept

[] Departmental Discretion

*** CONFIDENTIAL ***



CO# 2016-17578

RNC

GENERAL OCCURRENCE HARDCOPY

BREAK & ENTER OTHER

☐] Diplomatic Immunity ☐] Diversionary Program

Concluded Date: [2016-04-04] By Reg#: [862] Name:
[

Signature: _____

Approved Date: [] By Reg#: [] Name:
[]
(Supervisor)

Signature: _____

*** CONFIDENTIAL ***



RNC
GENERAL OCCURRENCE HARDCOPY

GO# 2016-17578

BREAK & ENTER OTHER

Narrative: FORENSIC CASE REPORT - I

Scene Photographs

Author: 820 SWEETLAND, STACY

Related date/time: Saturday, 2016-Apr-02 11:03

FORENSIC CASE REPORT

REPORT FORWARDED TO:

[FILE

REQUESTING OFFICER:

[CONSTABLE D. AYLWARD

RE:

[MISCHIEF

FIS file number:

[2016-762

Date Received: [2016-04-01]

Time Received: []

Date Attended: [2016-04-01]

Time Attended: [1132]

+ SERVICE PERFORMED +

[X]Photography []Scene Measurement []Witness Viewing Session
[]Physical Comparison []Lineup []Fingerprint/Footwear Exam
[]Other - Specify []

+ ACTION +

[X]Concluded Here []Exhibits
[]No Service Performed []More Information Required
[]Other - specify [] []More Information Required

SUMMARY

[2016-04-01

1132 Hrs

I attended 263 Empire Avenue, St. John's, NL, as requested by patrol services, Constable D. Aylward, in relation to a report of mischief.

Constable Aylward requested for photographs to be taken of the disarray in the apartment at the above noted location.

1135 Hrs

Overall photographs were taken of the exterior of the residence. The apartment was located on the lower right portion of the residence.

*** CONFIDENTIAL ***



RNC

GENERAL OCCURRENCE HARDCOPY

GO# 2016-17578

BREAK & ENTER OTHER

1137 Hrs

Overall photographs were taken of the interior of the apartment.

I observed numerous items, clothing, personal belongings, and furniture located around the apartment on the floor and tipped over.

Overall photographs were taken of same.

No further FIS action required.

FIS file concluded.]

Member Name: [CONSTABLE S. SWEETLAND]
Regimental Number: [820]
Date forwarded: [2016-04-02]

*** CONFIDENTIAL ***



GO# 2016-17578

RNC
GENERAL OCCURRENCE HARDCOPY

BREAK & ENTER OTHER

Clearance Information

Agency: **POLICE DEPARTMENT**

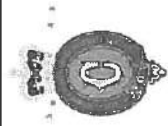
Cleared on: **Saturday, 2016-Apr-02**

CCJS Status: **CLEARED BY CHARGE**

Cleared by Officer(s): **AYLWARD, DANIEL**

Complainant/Victim notified: **NO**

*** CONFIDENTIAL ***



RNC

GENERAL OCCURRENCE HARDCOPY

GO# 2016-17578

BREAK & ENTER OTHER

Follow Up Report # 1

Assignment Information

Assigned to: 862 AYLWARD, DANIEL

Capacity: OTHER Org unit: ST JOHNS - PLATOON A - EAST

Assigned on: Saturday, 2016-Apr-02 09:28 by: C268 TAYLOR, ASHLEY

Report due on: Tuesday, 2016-Apr-12

Submission/Approval Information

Submitted on: Monday, 2016-Apr-04

Checked by: 417 WALL, RICK

Approved on: Monday, 2016-Apr-04

by: 417 WALL, RICK

Followup status: CONCLUDED

Victim/Complainant Information

Complainant/Victim notified: NO

*** CONFIDENTIAL ***



GO# 2016-17578

RNC

GENERAL OCCURRENCE HARDCOPY

BREAK & ENTER OTHER

Follow Up Report # 2

Assignment Information

Assigned to: 862 AYLWARD, DANIEL
Capacity: COURT DIARY Org unit: ST JOHNS - PLATOON A - EAST
Assigned on: Monday, 2016-Apr-04 11:55 by: 417 WALL, RICK
Report due on: Thursday, 2016-Sep-01

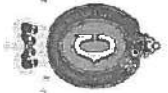
Submission/Approval Information

Followup status: ACTIVE

Victim/Complainant Information

Complainant/Victim notified: NO

*** CONFIDENTIAL ***



RNC

GENERAL OCCURRENCE HARDCOPY

GO# 2016-17578

BREAK & ENTER OTHER

*** END OF HARDCOPY ***

*** CONFIDENTIAL ***



RNC FILE # 2016-17578

Notice to a Person Charged with an Offence

You have been charged with an offence(s). You have the right to be represented by a lawyer when you go to Court for your charge(s). You should contact a lawyer as soon as possible so that he or she can go to Court with you on your first Court date. You can find a listing of all lawyers at <http://www.lawsociety.nf.ca/> under "Members Directory". You can also find the names of lawyers in the yellow pages of the telephone book.

If you feel that you cannot afford to pay a lawyer yourself, you can apply to the Newfoundland and Labrador Legal Aid Commission to see if they will appoint a lawyer for you. You apply for Legal Aid by going to 251 Empire Avenue in St. John's or by calling (709) 753-7860 during business hours.

You should take steps to get a lawyer immediately.

RNC#262
20091013



R3

STATEMENT

X
R
E
F

Page ____ of ____

OCC. ☐	YEAR ☐	#
SOT. ☐	MVA. ☐	
OCC. ☐	YEAR ☐	#
SOT. ☐	MVA. ☐	

OCCURRENCE #

YEAR	#
2016	17578
CASE HEADING	
Mischief	

Surname:

Nungnik, Deidre

(apt. #., street #, street name, type eg. 24-201 Water St. or Duckworth St. at Prescott st.)

Address: 263B Empire Ave, st-John's, NL

YY	MM	DD
82	05	16
Date of Birth		

(1) CW ☒ Civilian Witness Statement

PW ☐ Police Witness Statement

YY	MM	DD
16	04	01
Date:		

Time: 10:15

Location Statement Taken: 263B Empire Ave, st-John's

Q: Police responded to your residence for a disturbance what can you tell me about this?

A: Around 8:30am this morning she started knocking on the door, she was banging and kicking the door I didn't answer. I then heard her upstairs walking around then she came back down with a key and came into my apartment. Once she was in she started flicking and tripping over everything yelling "get out" repeatedly. She was inside for about 10 minutes throwing everything around and she wouldn't leave. She also started to flick my clothes outside and all over the floor, I'm usually a really clean person but now my place is ruined.

Q: How long have you lived here?

A: I've been living here with Rick Bennett for almost two years until he got locked up in January. On Feb 12, 2016 I signed another lease with Israt Khan for \$790.00 a month utilities included. I missed one month rent and that's why she came down demanding money.

Q: Did Ms. Khan ever serve you with an eviction notice

A: No, she was trying to help me get welfare.

Actually she just cut off my power trying to get me to leave. When she came into my apartment she was not welcome that's why I never answered the door.

Q: Was there anything damaged in your apartment?

A: Everything, it's a mess right now so I can't tell.

Time Statement Concluded: 10:22

Signature:

Deidre Nungnik

Taken by: *Det. A. C. 1*

Reg. No.: *802*

Date:

YY MM DD
2016 04 01

Supervisor:

Reg. No.:

Date:

YY MM DD



R5

CONTINUATION

Page 2 of 2

FILE #

YEAR	#	
2016		17578
CASE HEADING		
Mischief		

Surname:

(1) CW ☐ Civilian Witness StatementNS ☐ Narrative SummaryCS ☐ Cautioned Statement

Q: What would you like done in this matter?

A: I would like Ms. Khan charged, she had no right to be in my residence and now I have no place to live because I'm afraid she will come back in. I'm currently staying with Eugene Stapleton at 28-308 Paskin Crescent until I can get a hold of AES.

Q: Has Ms. Khan ever shown aggression to you before?

A: Never this is the first time.

Q: Anything you want to add change or delete to your statement?

A: NO

802

14

Time Statement Concluded: 1022

Signature:

Taken by:

G.A. Cynd

Reg. No.

862

Date:

2016 11 19

2016-14



STATEMENT

× 2 3 4

Page 1 of 1

OCCURRENCE #

YEAR	#
2060	17578

CASE HEADING
Mischief

Surname:

Alchim Drysdale

(apt. #-, street #, street name, type eq. 24 -201 Water St. or Duckworth St. at Prescott st.)

Address:

YY	MM	DD
30	08	26

Date of Birth: 30/08/26

(1) CW ☐ Civilian Witness Statement

Police Witness Statement

Date: YY MM DD
16 04 01

Time: 70:0

Location Statement Taken:

263 Empire Ave. St. Johns

Q: Mr. Dwyer please tell me why you called police today?

R1) I was at my girlfriend's apartment 263(B) Empire Ave. when someone started to bang on the door and then tried to open the door with a set of keys. The door was opened by (Scott (and lady) Khan.

I told them in the land lady she was yelling and screaming. She was saying that we had to get out. I just took the table and threw it to the air, she took the entertainment center and threw it as well. She took clothes and threw it to the street. I knew that my girlfriend Deidra was visiting from her. She has been there for a couple of years. I just was on the phone saying that there was to strangers at her home. (she was talking to police dispatch)

I had like 30 DVD menues that she threw all over the place. My clothes were thrown out too. I don't feel is safe for Deidre to stay here by herself. I know Isrot was mad because she hasn't received the rent money from Deidre. I think Deidre was a month behind in rent or so.

Q: Is anything else you want to add about the incident?
A: I think I have said it all.

I think I have said it all

Time Statement Concluded: 1022

Signature:

x Of Drysdale

Taken by: C. Jones

Reg. No.:

Date: YY MM

00

Supervisor:

Reg. No.:

Date:

—

111

88



R4

CAUTIONED
STATEMENT

Page 1 of 3

X	OCC	YEAR	#
R	SOT		
E	MVA		
F	OCC	YEAR	#
	SOT		
	MVA		

OCCURRENCE #

YEAR	#
2016	17578
CASE HEADING	Mischief

Surname:

Khan, Israt

G1:

G2:

(appt. - street #, street name, type eg. 24 - 101 Water St. or Duckworth St. at Prescott St.)

Address:

263 Empire Ave, St. John's, NL

Date:

16 04 02

Time: 1550

Location Statement Taken:

HQ

YY

MM

DD

Date of Birth:

19 08 15

POLICE CAUTION - "You need not say anything. You have nothing to hope from any promise or favor and nothing to fear from any threat whether or not you say anything. Anything you say may be used as evidence."

DO YOU UNDERSTAND THIS CAUTION? ☒ Yes ☐ No Signed: Israt

RIGHTS UNDER CHARTER - "You have the right to retain and instruct counsel without delay. You have the right to immediate access to advice from duty counsel (lawyer) free of charge." "You also have the right to subsequently be represented by a lawyer free of charge if you meet the criteria set up by the Newfoundland Legal Aid Commission". The telephone numbers are: St. John's 753-7860; Corner Brook 639-9226; after 5 P.M. 1-800-563-9911; Labrador 1-800-563-9911.

DO YOU WISH TO CONTACT DUTY COUNSEL OR ANOTHER LAWYER NOW? ☐ Yes ☒ No Signed: Israt

Q: You wish to provide a statement regarding the incident that took place at 263 Empire Ave on 2016-04-01, what can you tell me about this?
A: Around 10 pm on Thursday she came by with a cake. What time I will be at her home next day? I answered 8:30 am. She had a verbal notice to pick up rent at 9:30 am as I have appointed that morning.

B. 263(B) unregistered (approved to be registered by city with a cert).

C. This unit belongs to Rick Bennett since 2014 Sep 15th. Rick missed two payments March, April 2015. (1500 due). Then he applied with a similar application to Social assistance and we waited and got approval for rent. I have rented his apartment fully furnished (each piece belongs to us).

D. We have a formal rental agreement with Rick Bennett. (Application form doesn't say rental agreement).

E. In February / March 2016 we did not receive rent for Rick. I went down and she said she is married to Rick since December 2015 (showed me ring).

Time Statement Concluded: 1615

Signature: IsratTaken By: Asst. Cpl. G. J. 862Reg. No. Israt

Date:

2016

YY

MM

DD

04

02



R5

CONTINUATION

Page 2 of 3

FILE #

YEAR

2016

17578

CASE HEADING

Mischief

Surname:

Khan

(1) CW ☒ Civilian Witness StatementNS ☐

Narrative Summary

CS ☐

Cautioned Statement

f. Then every night Al (79 mayor according to office) causing kicking door to 263 basement door. He was taken home multiple times. One night he broke the window of the door (He was issued no entry to the property 2-weeks ago)

g. Diedree said she needed application from me to social assistance (under Rick bellatti file as his spouse so that rent will continue for Rick and her as his spouse).

h. Application #

i. Diedree told me yesterday social assistance will be here and if I continue here she will kill me (she has FB picture with actual revolver and she carry in her purse).

j. I have e-mail from chris for both of them that they don't have approval of assistance (4.5 months rent in total due to Rick and her false spouse).

k. She has appointment with me and she sent me text that what exact time I will be in the apartment

l. Al has two stay order not to be in the premises.

m. Diedree called me multiple times last

Time Statement Concluded: 1615

Signature: JES

Taken by:

C. J. Khan 860

Reg. No.:

860

Date:

2016

YY

MM

DD

04 02

2016-14



R5

CONTINUATION

Page 3 of 3

FILE #

YEAR	2016	17578
CASE HEADING	Mischief	

Surname: Khon

(1) CW ☒ Civilian Witness Statement NS ☐ Narrative Summary CS ☐ Cautioned Statement

night with a threat from 745-2883
7:50 pm 4 mins, 7:51 pm 5 mins.

N. Diedree is not spouse of Rick Bennett
but the application that she showed
not even my handwriting.

O. The application that Social Service
has is my handwriting.

P. Diedree / her friend wrote that
letter.

S. I wrote a generic application
re her that addresses that as a
spouse of Rick Bennett, I request
court to get authentic letter.

P. Unlawfully in a dwelling is inappropriate
as I gave her notice plus she has
4- eviction notice.

S. No smoking, no drinking inside is
forbidden for Rick Bennett (mean his
spouse which is we were in a impression
as Diedree

T. Interfering lawful use is inappropriate
as this unit belongs to Rick Bennett
as we never enter in a formal
rental agreement.

Time Statement Concluded: 16:15

Signature: SA

Taken by: Ed. G.

Reg. No: 862

Date:

2016

YY

MM

DD

04 02

2016-14

File # RNC
2016 17578

Date Feb 12, 2016

I, Israt Khan will rent one
bedroom apartment at 263B Empire
Avenue (registered unit) to Deidre
Agluvak Nungnik for \$790⁰⁰ per
month (heat, light, property & water
tax) included in the rent. Please
send the rent to the following

address **AL-Daysdale**

263 Empire Avenue Social worker

St. John's, NL A1C3J1

Also please feel free to contact at

7097493601

Israt Khan
Landlady

Landlord's
Deidre Agluvak
Nungnik

AL 5794329

2016-04-03
Cst. Aylward - d 862

2016-04-01 Friday
Platoon A, East 0630 HRS
Area: J 5
Unit: 222
POR: 4210
Cloudy 10°C, Rain, w/ noft.

1000

263 Empire Ave
Unknown trouble

Deidre Nungnik 82-05-16
Alistair Drysdale 70-08-26
Krat Khan 79-08-15
Ms. Khan entered 263B
apartment to which she
is the landlord. Ms.

Nungnik & Mr. Drysdale were
still inside lawfully where
lease 1 yk. Khan continued
to destroy the apartment
telling at them to leave
Apartment was the 1000

when police showed up.
Cst. Torres R.C. Ms. Khan
who stated she didn't do
anything. Statements
obtained from both
Ms. Nungnik and Mr.
Drysdale. Ms. Nungnik
stated she will stay with
Krat Khan until tonight
and call AES today.
Numbers provided:
AES & Landlord tenby.
Eugene Stapleton 60-06-
306-28 Pa.
745

15

Royal Newfoundland Constabulary

Cst. D. Aylward, Reg. # 862

152

1764



1 Fort Townshend, St. John's, NL A1C 2G2
Tel: (709) 729-8000
E-mail: danieylward@rnc.gov.nl.ca

care of him.

Lock up with Morcel

on board

2016-03-02 Saturday

Platoon A, East 19304423

Area: J4

Unit: 222

Post: 4335

Clubby O'C, Rain Plumes

1545

File 2016-17578

Met with Ms. Khan at

TRC. Advised her of

charges.

180

~~1555~~

Read Ms. Khan her RSC
to which she understood
and declined a lawyer.

1555

Served and explained to

Ms. Khan her appearance

notice and RSC form 263.

She understood and signed

At this time Ms. Khan

advised she would like

to give a statement

Statement. Statement

obtained.

161

SD: 2016-02-23
EC: 2016-05-22

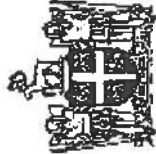
ISSUED 2016/02/23

CRIMINAL CODE, FEDERAL
AND PROVINCIAL STATUTES

CODE CRIMINEL
LOIS FEDERALES ET PROVINCIALS

ST. JOHN'S, NL
PROVINCIAL COURT

ST. JOHN'S, NL
COUR PROVINCIAL



Police Officer _____
Police File Number 15-69360

CANADA
Province de Terre-Neuve et Labrador

CANADA

Recognizance (Peace Bond 810 & 810.1 CCC)

**Engagement (Engagement de ne pas troubler
l'ordre public 810 et 810.1 CCC)**

BE IT REMEMBERED that on this day the persons named in the
following schedule personally came before JUDGE LOIS SKANES
and severally acknowledged themselves to owe to her Majesty the
Queen the several amounts set opposite their respective names,
namely,

IL EST RAPPELÉ que les personnes dont les noms figurent à
l'annexe qui suit ont personnellement comparu devant moi en ce
jour et ont individuellement reconnu devoir à Sa Majesté la Reine les
différentes sommes indiquées en regard de leur nom, à savoir:

Name / DOB Nom / Date de naissance	Address Adresse	Occupation Profession	Amount Somme
ISRAT KHAN (-4714/12/31) 1979/08/15	287 EMPIRE AVENUE, ST. JOHN'S, NL, A1C 3J1		250.00

to be made and levied of their several goods and chattels, lands and
tenements, respectively, to the use of Her Majesty the Queen, if
ISRAT KHAN fails in any of the following **conditions**:

qui seront perçues sur leurs biens respectifs dont leurs biens
mobiliers, leurs terres et leurs propriétés, pour l'usage de Sa
Majesté la Reine si ledit _____ ne respecte pas les
conditions ci-dessous :

1. KEEP THE PEACE AND BE OF GOOD BEHAVIOUR ESPECIALLY TOWARDS VANESSA WESTCOTT
2. REFRAIN FROM ANY CONTACT OR COMMUNICATION WHATSOEVER WITH VANESSA WESTCOTT, EXCEPT
THROUGH COUNSEL. PARTICULARLY THERE IS TO BE NO SOCIAL MEDIA CONTACT OR REFERENCE TO
VANESSA WESTCOTT BY YOU OR AT YOUR DIRECTION
3. REMAIN AWAY FROM PLACE OF RESIDENCE, EMPLOYMENT AND/OR SCHOOLING OF VANESSA WESTCOTT
4. NOT TO ANNOY, TORMENT, HARASS OR INTIMIDATE VANESSA WESTCOTT IN ANYWAY WHATSOEVER.

THE CONDITIONS of the recognizance is that if ISRAT KHAN abides
by the conditions listed above for the term of 3 Months
commencing on 2016/02/23, the said recognizance is void,
otherwise it stands in full force and effect.

Le présent engagement est subordonné à la condition que si
_____ respecte les conditions mentionnées ci-dessus pour
la période de _____ débutant le _____, ledit
engagement est nul, mais qu'au cas contraire il a pleine force et
plein effet.

Respondent
Défendeur

Taken and acknowledged before me on the 23rd day of February
A.D. 2016 at ST. JOHN'S

Fait et connu devant moi le ____ jour de _____ en l'an de grâce
_____, à _____

Kayla Roberts JP
Clerk of the Court, Judge, Justice or Provincial Court Judge
Greffier du tribunal, juge, juge de paix ou juge de la cour provinciale

Crown's Sentencing Offer on Early Guilty Plea

Without Prejudice

Made on: April 12, 2016

Accused: Israt Khan Counsel: _____

Guilty Plea(s) required on: ss. 430

The Crown's best offer on sentencing is as follows:

☐ Fine(s) \$ _____
☐ Imprisonment _____ days/months/years ☐ Institutional ☐ Conditional ☐ Intermittent
☐ Suspended Sentence ☒ Conditional Discharge ☐ Absolute Discharge
☐ Probation _____ ☐ SOIRA _____ ☐ DNA _____

Prohibitions: ☐ Firearms _____ ☐ Driving _____ ☐ s.161CC _____
☐ s.380.2CC _____ ☐ s.447.1CC _____

Forfeiture:

☐ s.115CC ☐ s.490.1CC

Other terms: 12 m Conditional discharge

The Crown's Sentencing Offer on Early Guilty Plea is intended for an early resolution of the matter prior to the setting of any trial date or other substantive hearing. The Offer is based on the facts as set out in the disclosure package unless otherwise agreed upon in writing. The Offer may be withdrawn prior to the entry of a guilty plea if before that time additional disclosure or other relevant information comes to the attention of the Crown that in the Crown's sole discretion requires the rescission of the Offer. No more favorable offer can be made by any other Crown Attorney absent a material change impacting on the likelihood of conviction or constituting significant mitigating circumstances that were not apparent at the time this Offer was made.

Sam Mathews
Crown Attorney