

Case Name:
R. v. Mohammadi

Between
Her Majesty the Queen, and
Abdul Mohammadi

[2010] O.J. No. 2977

2010 ONCJ 236

Ontario Court of Justice
Brockville, Ontario

J.D.G. Waugh J.

Oral judgment: April 12, 2010.

(2 paras.)

Counsel:

S. Balemba, Esq., Agent for the Attorney General of Ontario.

R. Stocki, Esq., Agent for Mr. Mohammadi.

REASONS FOR JUDGMENT

1 J.D.G. WAUGH J. (orally):-- I do not need to hear from you, Mr. Stocki. I do recall reading these manuals, and as obtuse as it sounds, the manual suggests or says that the officer is to estimate the speed the vehicle is going, and then check the radar, and it is supposed to be within the parameters. To simply say, he was going well over the speed limit, and that proves the machine is working, I do not think it does.

2 So, I am sorry, I am going to dismiss the Crown appeal, and confirm the acquittal.

qp/s/qlcct/qlmxj/qlpxm