

REOPENING APPLICATION/AFFIDAVIT (EARLY RESOLUTION)

ONTARIO COURT OF JUSTICE
PROVINCE OF ONTARIO

Under subsection 11(1) of the *Provincial Offences Act*

Form 102.1
Courts of Justice Act
R.R.O. 1990
Reg. 200

I, _____
(name)

of _____
(street number) (street) (apt. number) (municipality) (postal code)

_____ (phone) _____ (email)

make an application to strike out the conviction entered against me. In support I confirm and assert as follows:

1. I was convicted without a hearing of

Offence Description	File No.
Offence Date	Conviction Date

2. Through no fault of my own,

(a) I did not have the opportunity to (*check the appropriate box*):

- dispute the charge at trial, or
 attend an early resolution meeting

(*explain or attach other evidence or information to be relied upon in support of your application*)

OR

(b) I did not receive delivery of a notice or document relating to the offence, namely (*check the appropriate box*):

Offence Notice

And I wish to exercise one of the following options:

Early Resolution – Meet with Prosecutor (by choosing this option you **do not** forego the right to trial)

NOTE: *You may be convicted in your absence if you do not attend the scheduled meeting.*

Trial Option: I intend to appear in court to enter a plea of not guilty at the time and place set for the trial.

NOTE: *You may be convicted in your absence if you do not attend the trial.*

Early Resolution Meeting Notice

Notice of Trial

(*explain or attach other evidence or information to be relied upon in support of your application*)

3. The conviction first came to my attention on the _____ day of _____, yr. _____.

4. I have made a previous application for reopening in relation to this matter.

FOR INFORMATION ON ACCESS
TO ONTARIO COURTS
FOR PERSONS WITH DISABILITIES, CALL
1-800-387-4456
TORONTO AREA 416-326-0111



POUR PLUS DE RENSEIGNEMENTS SUR L'ACCÈS
DES PERSONNES HANDICAPÉES
AUX TRIBUNAUX DE L'ONTARIO, COMPOSEZ LE
1-800-387-4456
RÉGION DE TORONTO 416-326-0111

Sworn/Affirmed before me

at
this day of, 20

A Commissioner, etc.

Signature of defendant

NOTE: Section 86 of the *Provincial Offences Act* provides:

Every person who makes an assertion of fact in a statement or entry in a document or form for use under this Act knowing that the assertion is false is guilty of an offence and on conviction is liable to a fine of not more than \$2,000.

Subsections 11 (2) and (3) authorize the clerk of the court or justice to strike out a conviction on affidavit of the defendant or on other evidence or information that through no fault of the defendant, the defendant was unable to participate in the proceeding.

The court may contact you regarding this application using the phone number or e-mail address provided.

FOR COURT USE ONLY

ORDER OF THE CLERK

- Application forwarded to justice.
- Conviction struck, re-opening granted. Certificate of striking out conviction and early resolution meeting notice to be given to defendant and prosecutor.
- Conviction struck, reopening granted. Certificate of striking out conviction and notice of trial to be given to defendant and prosecutor.

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Date

Signature of Clerk of the Court

ORDER OF THE JUSTICE

- Conviction upheld, reopening denied.
Reason:
- Conviction struck, re-opening granted. Certificate of striking out conviction and early resolution meeting notice to be given to defendant and prosecutor.
- Conviction struck, reopening granted. Certificate of striking out conviction and notice of trial to be given to defendant and prosecutor.

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Date

Signature of Justice of the Peace

