

ONTARIO COURT OF JUSTICE

Northwest Region  
(Region)

city of Thunder Bay, Ontario, Canada  
(Court location)

4211-998-22-24500026-00,  
4211-998-21-24500176-00,  
4211-998-20-204342-00,  
4211-998-21-210569-00,  
Information #(s) 4211-998-17-173106-00

RELEASE ORDER  
(FORM 11)

Adult  
(JUDICIAL COPY)

1. Identification of Accused

Nathan TOWEGISHIG Date of birth: 1992/03/18  
(Name of the accused) (Date: yyyy/mm/dd)

2. Contact Information

of 142 Beaver Rd, Long Lake 58 FN, ON  
(Accused's complete address)

3. Charge(s)

has been charged with the following offence(s):

Table with 4 columns: Offence Date(s), Location (City, Town, Township), Short Wording, Section Number. Contains 9 rows of charges.

Contested Hearing Section 524 Hearing Release Recommended Variation: s.523(2)/519.1 Variation (Police Undertaking)

IT IS ORDERED THAT YOU BE RELEASED UPON SIGNING A RELEASE ORDER CONTAINING THE TERMS AND CONDITIONS SET OUT BELOW:

4. Financial Obligations

In order for you to be released, the obligations that are indicated below must be complied with:

- You promise to pay the amount of \$300 if you fail to comply with a condition of this release order.
The surety(ies):
Promise(s) to pay the amount of \$300.

Surety(ies) Information:

- Surety(ies) approved, can be substituted by another approved surety.
Surety(ies) named on release order and identity of surety(ies) are a condition of this release order.
Surety(ies) to be approved later by a judge/justice of the peace.

Name of surety and amount:

Kenneth Towegishig [Named as part of Release Order] Amount \$300
(Name of the Surety)
142 Beaver Street, Long Lake #58, ON
of Tel: 807-500-0200
(Surety's complete address)

5. Conditions

You must comply with the following conditions:

1. Do not contact or communicate in any way either directly or indirectly, by any physical, electronic or other means, with the following: Darynne Mendowegan

EXCEPT

- pursuant to a family court order made after today's date

- for purposes of making contact arrangements for, or having contact with, your child(ren) through a mutually agreed upon third party with the prior written consent of which may be obtained once through a third party

2. Do not be within 25 metres of any place where you know any of the person(s) named above to live, work, go to school, frequent or any place you know the person(s) to be EXCEPT for required court appearances.
3. Do not attend at 1024 Main Street Geraldton Ontario, 208 Otter Long Lake 58 First Nation Ontario, 302 Holme Ave Geraldton Ontario
4. Do not associate or communicate in any way, either directly or indirectly, by any physical, electronic or other means, with Darren Penner, Harvey Nayanookeesic, Sherry Oulette, Sharon Mendowegan
5. Do not be within 25 metres of any place you know the above person(s) to live, work, attend school, or happen to be.
6. Do not possess
  - any weapon(s) as defined by the Criminal Code (for example, but not restricted to, a pellet gun, firearm, imitation firearm, cross-bow, prohibited or restricted weapon or device, ammunition or explosive substance or anything designed to be used or intended for use to cause death or injury or to threaten or intimidate any person).
7. Do not apply for an authorization, licence or registration certificate for any weapon as defined by the Criminal Code
8. Do not possess or consume any unlawful drugs or substances referred to the Controlled Drugs and Substances Act except with a valid prescription in your name

## 6. Variation

The conditions of this release order may be varied with the written consent of the prosecutor, yourself and your sureties, if any. In addition, you or the prosecutor may apply to a judge to have any condition in this release order cancelled or changed.

## 7. Conditions in Effect

The conditions indicated by on this release order (including any obligations imposed on your sureties) remain in effect until they are cancelled or changed or until you have been discharged, sentenced or otherwise detained by the court (sections 763 and 764 of the *Criminal Code*).

## 8. Consequences for Non-Compliance

You are warned that, unless you have a lawful excuse, you commit an offence under section 145 of the *Criminal Code* if you fail to follow any of the conditions set out in this release order, including if you fail to attend court as required.

If you commit an offence under section 145 of the *Criminal Code*, a warrant for your arrest may be issued (sections 512 and 512.3 of the *Criminal Code*) and you may be liable to a fine or to imprisonment, or to both.

If you do not comply with this release order or are charged with committing an indictable offence after you have been released, this release order may be cancelled and, as a result, you may be detained in custody (subsection 524(4) of the *Criminal Code*).

If you do not comply with this release order, the money or other valuable security promised or deposited by you or your surety could be forfeited (subsection 771(2) of the *Criminal Code*).

## 9. Return to Court

You are ordered to return to court as directed below, and afterwards as required by the court:

Courtroom #	Court Location	In Person	By Video	Time	Date
GER	125 Brodie Street, N., Thunder Bay	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10:00 a.m.	2022/03/31

## 10. Signatures/Acknowledgements

Accused:

I understand the contents of this form and agree to comply with the conditions set out above.

I understand that I do not have to accept the conditions and that, if I do not accept the conditions, I will be detained.

Inquiry of Accused's Understanding of Order:

Inquiry Conducted

Judge, Justice or Clerk of the Court:

Signed on the 28th day of January, year 2022  
at city of Thunder Bay in the Province of Ontario.



(Signature of judge, justice or clerk of the court)

Her Worship D Ellard

(Name of judge or justice who has issued this order)

ONTARIO COURT OF JUSTICE

Northwest (Region) Region
city of Thunder Bay, Ontario, Canada
(Court location)

4211-998-22-24500026-00,
4211-998-21-24500176-00,
4211-998-20-204342-00,
4211-998-21-210569-00,
Information #(s) 4211-998-17-173106-00

RELEASE ORDER

ENTERED INTO BEFORE A JUDGE OR JUSTICE OF THE PEACE
(FORM 11)
(Section 2 of the Criminal Code)

Adult

1. Identification of Accused

Nathan TOWEGISHIG Date of birth: 1992/03/18
(Name of the accused) (Date: yyyy/mm/dd)

2. Contact Information

of 142 Beaver Rd, Long Lake 58 FN, ON
(Accused's complete address)

3. Charge(s)

has been charged with the following offence(s):

Table with 4 columns: Offence Date(s), Location (City, Town, Township), Short Wording, Section Number. Contains 9 rows of charges including possession of substance, assault with a weapon, and theft.

IT IS ORDERED THAT YOU BE RELEASED UPON SIGNING:

4. Financial Obligations

In order for you to be released, the obligations that are indicated below must be complied with:

- You promise to pay the amount of \$300 if you fail to comply with a condition of this release order.
The surety(ies):
Promise(s) to pay the amount of \$300.

Surety(ies) Information:

- Surety(ies) approved, can be substituted by another approved surety.
[X] Surety(ies) named on release order and identity of surety(ies) are a condition of this release order.
Surety(ies) to be approved later by a judge/justice of the peace.

Name of surety and amount:

[X] Kenneth Towegishig [Named as part of Release Order] Amount \$300
(Name of the Surety)
142 Beaver Street, Long Lake #58, ON
of Tel: 807-500-0200
(Surety's complete address)

5. Conditions

You must comply with the following conditions:

- 1. Do not contact or communicate in any way either directly or indirectly, by any physical, electronic or other means, with the following: Darynne Mendowegan EXCEPT

- pursuant to a family court order made after today's date

- for purposes of making contact arrangements for, or having contact with, your child(ren) through a mutually agreed upon third party with the prior written consent of which may be obtained once through a third party
- 2. Do not be within 25 metres of any place where you know any of the person(s) named above to live, work, go to school, frequent or any place you know the person(s) to be EXCEPT for required court appearances.
- 3. Do not attend at 1024 Main Street Geraldton Ontario, 208 Otter Long Lake 58 First Nation Ontario, 302 Holme Ave Geraldton Ontario
- 4. Do not associate or communicate in any way, either directly or indirectly, by any physical, electronic or other means, with Darren Penner, Harvey Nayanookeesic, Sherry Oulette, Sharon Mendowegan
- 5. Do not be within 25 metres of any place you know the above person(s) to live, work, attend school, or happen to be.
- 6. Do not possess
  - any weapon(s) as defined by the Criminal Code (for example, but not restricted to, a pellet gun, firearm, imitation firearm, cross-bow, prohibited or restricted weapon or device, ammunition or explosive substance or anything designed to be used or intended for use to cause death or injury or to threaten or intimidate any person).
- 7. Do not apply for an authorization, licence or registration certificate for any weapon as defined by the Criminal Code
- 8. Do not possess or consume any unlawful drugs or substances referred to the Controlled Drugs and Substances Act except with a valid prescription in your name

## 6. Variation

The conditions of this release order may be varied with the written consent of the prosecutor, yourself and your sureties, if any. In addition, you or the prosecutor may apply to a judge to have any condition in this release order cancelled or changed.

## 7. Conditions in Effect

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## 8. Consequences for Non-Compliance

You are warned that, unless you have a lawful excuse, you commit an offence under section 145 of the *Criminal Code* if you fail to follow any of the conditions set out in this release order, including if you fail to attend court as required.

If you commit an offence under section 145 of the *Criminal Code*, a warrant for your arrest may be issued (sections 512 and 512.3 of the *Criminal Code*) and you may be liable to a fine or to imprisonment, or to both.

If you do not comply with this release order or are charged with committing an indictable offence after you have been released, this release order may be cancelled and, as a result, you may be detained in custody (subsection 524(4) of the *Criminal Code*).

If you do not comply with this release order, the money or other valuable security promised or deposited by you or your surety could be forfeited (subsection 771(2) of the *Criminal Code*).

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GER	125 Brodie Street, N., Thunder Bay	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10:00 a.m.	2022/03/31

## 10. Signatures/Acknowledgements

### Accused:

I understand the contents of this form and agree to comply with the conditions set out above.

I understand that I do not have to accept the conditions and that, if I do not accept the conditions, I will be detained.

Signed on the 28th day of January, year 2022  
at city of Thunder Bay in the Province of Ontario.

\_\_\_\_\_  
(Signature of accused)

### Surety:

I understand my role and my responsibilities under this release order and I agree to act as a surety.

I agree to promise or deposit to the court the amount of money described in section 4 of this release order.

I understand that failure on the part of the accused to attend court as ordered or to follow any of the conditions in their release order or recognizance could lead to the forfeiture of the amount of money that has been promised or deposited.

I understand that I may, at any time, ask to no longer be a surety by making an application, by bringing the accused to the court in order to be discharged from my obligation (section 767 of the *Criminal Code*) or by taking and giving the accused into custody (section 768 of the *Criminal Code*).

It is my free choice to take on the responsibilities of a surety.

- Surety declaration is attached (section 515.1 of the *Criminal Code*).
- Surety is exempted from providing Surety Declaration (subsection 515.1(2) of the *Criminal Code*).
- Surety to be approved later; surety declaration will be addressed at that point.

Signed on the 28th day of January, year 2022  
at city of Thunder Bay in the Province of Ontario.

Surety approved on record as per Covid 19  
(Signature of the surety)

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**Judge, Justice or Clerk of the Court:**

Signed on the 28th day of January, year 2022  
at city of Thunder Bay in the Province of Ontario.



(Signature of judge, justice or clerk of the court)

Her Worship D Ellard

(Name of judge or justice who has issued this order)

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**Distribution:**

Accused    Surety    Crown    VWAP    Police    Chief Firearms Officer

**RELEASE ORDER ORDONNANCE DE MISE EN LIBRETÉ  
ENTERED INTO BEFORE A JUDGE OR JUSTICE OF THE PEACE  
ENGAGEMENT CONTRACTE DEVANT UN JUGE OU UN JUGE DE PAIX**

Nathan TOWEGISHIG  
\_\_\_\_\_  
(Name of the accused) / (NOM DU PRÉVÉNU)

**SECTIONS 763 and 764 OF THE CRIMINAL CODE PROVIDE AS FOLLOWS:**

**Undertaking or release order binding on person**

763 (1) If a person is bound by an undertaking, release order or recognizance to appear before a court, provincial court judge or justice for any purpose and the session or sittings of that court or the proceedings are adjourned or an order is made changing the place of trial, that person and their sureties continue to be bound by the undertaking, release order or recognizance as if it had been entered into or issued with respect to the resumed proceedings or the trial at the time and place at which the proceedings are ordered to be resumed or the trial is ordered to be held.

**Undertaking or release order binding on accused**

764 (1) If an accused is bound by an undertaking or release order to appear for trial, their arraignment or conviction does not cancel the undertaking or release order, and it continues to bind them and their sureties for their appearance until the accused is discharged or sentenced, as the case may be.

**Committal or new sureties**

764 (2) Despite subsection (1), the court, provincial court judge or justice may commit an accused to prison or may require them to furnish new or additional sureties for their appearance until the accused is discharged or sentenced, as the case may be.

**Effect of committal**

764 (3) The sureties of an accused who is bound by a release order to appear for trial are discharged if the accused is committed to prison under subsection (2).

**LES ARTICLES 763 ET 764 DU CODE CRIMINEL PRÉVOIENT CE QUI SUIT :**

**Personne liée par sa promesse ou une ordonnance de mise en liberté**

763 (1) Lorsqu'une personne est tenue, aux termes d'une promesse, d'une ordonnance de mise en liberté ou d'un engagement de comparaître devant un tribunal, un juge de paix ou un juge de la cour provinciale à une fin quelconque et que la session de ce tribunal ou les procédures sont ajournées, ou qu'une ordonnance est rendue pour changer le lieu du procès, cette personne et ses cautions continuent d'être liées par la promesse, l'ordonnance de mise en liberté ou l'engagement comme si ceux-ci avaient été remis, rendus ou contractés à l'égard des procédures reprises ou du procès aux date, heure et lieu où la reprise des procédures ou la tenue du procès est ordonnée.

**Prévenu lié par sa promesse ou une ordonnance de mise en liberté**

764 (1) Lorsqu'un prévenu est tenu, aux termes d'une promesse ou d'une ordonnance de mise en liberté, de comparaître pour procès, son interpellation ou la déclaration de sa culpabilité n'annule pas la promesse ou l'ordonnance de mise en liberté, et celles-ci continuent de le lier ainsi que ses cautions pour sa comparution jusqu'à ce qu'il soit élargi ou condamné, selon le cas.

**Incarcération ou nouvelles cautions**

764 (2) Malgré le paragraphe (1), le tribunal, le juge de paix ou le juge de la cour provinciale peut envoyer un prévenu en prison ou exiger qu'il fournisse de nouvelles cautions ou des cautions supplémentaires pour sa comparution jusqu'à ce qu'il soit élargi ou condamné, selon le cas.

**Effet de l'envoi en prison**

764 (3) Les cautions d'un prévenu qui est tenu, aux termes d'une ordonnance de mise en liberté, de comparaître pour procès sont libérées si le prévenu est envoyé en prison en vertu du paragraphe (2).

Signed on the \_\_\_\_\_ day of \_\_\_\_\_, year \_\_\_\_\_  
Fait ce \_\_\_\_\_ jour de \_\_\_\_\_, ans \_\_\_\_\_

at \_\_\_\_\_ in the Province of Ontario.  
à (au) \_\_\_\_\_ dans la province de l'Ontario

\_\_\_\_\_  
(Signature of accused) / (Signature du prévenu)

\_\_\_\_\_  
(Signature of the surety) / (Signature de la caution)

**CERTIFICATE OF DEFAULT  
CERTIFICAT DE DÉFAUT**

It is certified that \_\_\_\_\_  
Il est certifié par les présentes que \_\_\_\_\_

(has not appeared as required by this undertaking, release order or recognizance or has not complied with a condition of this undertaking, release order or recognizance) and that for this reason the ends of justice have been (defeated or delayed, as the case may be).

(n'a pas comparu ainsi que l'exigeait la présente promesse ou ordonnance de mise en liberté ou le présent engagement ou ne s'est pas conforme à une des conditions prévues dans cette promesse ou ordonnance ou cet engagement) et que, de ce fait (la justice a été contrariée ou les fins de la justice ont été retardées, selon le cas).

The nature of the default is \_\_\_\_\_

Le manquement peut se décrire ainsi: \_\_\_\_\_

and the reason for the default is \_\_\_\_\_  
(state reason if known).

et la raison du manquement est \_\_\_\_\_  
(indiquer la raison, si elle est connue).

The names and addresses of the principal and sureties are as follows:

Les noms et adresses du cautionne et de ses cautions sont les suivants: \_\_\_\_\_

Dated \_\_\_\_\_ day of \_\_\_\_\_, year \_\_\_\_\_  
Fait ce \_\_\_\_\_ jour de \_\_\_\_\_, ans \_\_\_\_\_

at \_\_\_\_\_ in the Province of Ontario.  
à (au) \_\_\_\_\_ dans la province de l'Ontario

\_\_\_\_\_  
(Signature of judge, provincial court judge, justice, clerk of the court,  
peace officer or other person)

\_\_\_\_\_  
(Signature du juge, du juge de la cour provinciale, du juge de paix, du  
greffier du tribunal, de l'agent de la paix ou de toute autre personne)