

Rural pot house case withdrawn

By STEPHANIE THIESSEN

The Champion

A glitch in how police conducted an investigation means the case of two Milton residents charged in connection with a marijuana growing operation has been tossed out of court.

Halton Regional Police seized \$250,000 worth of drugs as well as hydroponic growing equipment and 251 marijuana plants during a raid at a Fourth Line residence in June, 2001.

Det. Const. Ed Guys from Halton police's drug and morality bureau told The Champion cops were tipped off when a photo lab told police of pictures they had developed of what appeared to be a marijuana-growing operation.

As a result of the photos, police obtained a search warrant, which led to the rural Milton seizure, Det. Const. Guys said.

But September 22, Madam Justice Linda Walters ruled at Superior Court of Justice in Milton that the photos should have been acquired with a search warrant, Det. Const. Guys said.

"Any evidence (obtained) after the photos... is evidence not allowed in court," he said.

So, the case was dismissed.

As Crown Attorney Ted Graham put it, "Because there was no evidence, there was no case, so the charges were dismissed. The matter basically got itself resolved."

Defence lawyer Caspar Sinnige said he thought the judge made the right decision.

"When you give pictures to any place to be developed, you have a reasonable expectation for privacy. You don't expect them to be put on the Internet or handed around to friends," Mr. Sinnige said.

The judge recognized this, he said, and decided police should have had a warrant to obtain the photos from the developing company.

"It's the right outcome," Mr. Sinnige said.

Det. Const. Guys said there are still issues police have to deal with pertaining to the case.

"Now we have to deal with the issue of property being returned," he said. "They already got back their hydroponic equipment. It'll be interesting."

Agnieszka Wojyanowska and Douglas Weil were cleared of all charges, which included producing a controlled substance, possession of a controlled substance and possession for the purpose of trafficking.

Stephanie Thiessen can be reached at sthiessen@miltoncanadianchampion.com.

Fortune shines on woman — again

Milton resident Rosemary Nadas-Perin seems to have a monopoly on luck these days.

For the second time in just over three months, Ms Nadas-Perin, 40, has won a major lottery prize.

"I'm in shock. It's very weird. I can't believe I have won again," said Ms Nadas-Perin of her September 27 windfall of \$250,000.

Ticket bought locally

She purchased the winning Encore Jackpot ticket at KLMS Esso in Milton.

Her first major win was a Lottario jackpot worth \$394,000 from the June 14 draw.

Ms Nadas-Perin said her plans with the money are to help out family and build a house. She and her husband, Paul, have two sons. With her first jackpot she paid off her car, bought a computer and invested, she said.

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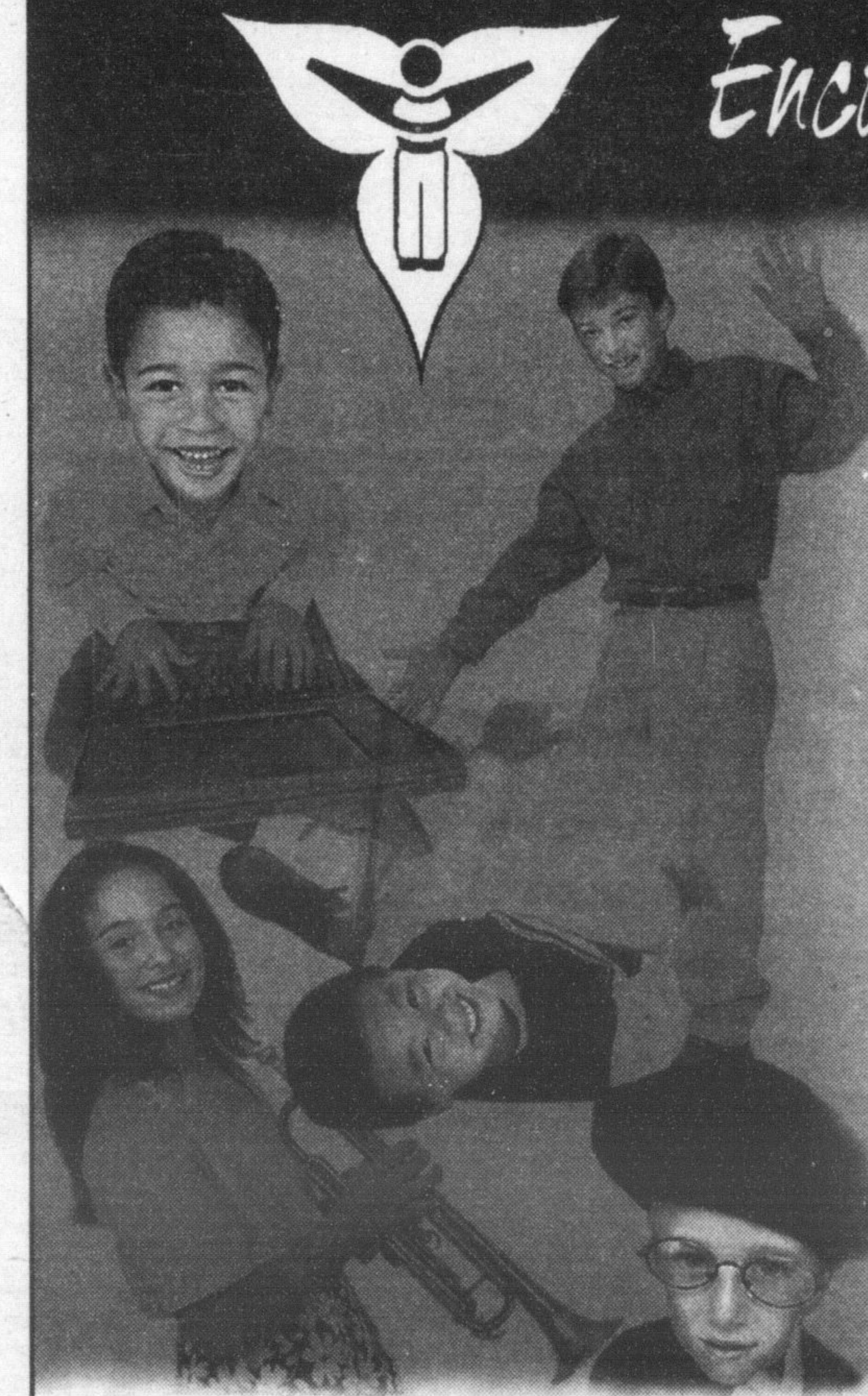


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