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Levesque to be sentenced Dec.

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By WES KELLER Freelance Reporter

After deliberating for about four hours last Friday, a 12-member jury found Robert Levesque guilty of four charges arising from an assault on his estranged wife, LesliLynne Levesque on June 14, and not guilty on three others. He remains in custody, pending sentencing by Ontario Court Justice Emile Kruzick on Dec. 9.

The jury found Levesque guilty of breaking and entering his wife's residence, of assault on a woman, of breaching two probation orders issued by Ontario Court Justice Emile Kruzick on March 24. The orders forbade him to communicate "either directly or indirectly" with LesliLynne Levesque, and ordered him to "keep the peace and be of good behaviour."

The jurors found the accused not guilty of using a knife in the assault, of threatening harm, and of attempting to choke her.

Breaking and entering a dwelling house and committing an indictable offence (assault on a woman) carries a maximum sentence of life in prison under Criminal Code Section 348 (1) (b).

The two-year probation orders followed Mr. Levesque's incarceration on a similar charge in January. Then, following his arrest on June 14, he was held in custody on the new charges. During his trial last week, the jury panel was recalled to replace two jurors who had read of his imprisonment in this newspaper, whereupon Justice Kruzick issued a temporary ban on the publication of the fact of custody, and forbade the jury to search for or to read the newspaper in which the publication bans expire at the conclusion of a jury trial.

At the trial, Mrs. Levesque said she had gone to Brampton for a 9:30 a.m. appointment and had returned to her Orangeville home to use the washroom and retrieve a document needed for a 10:30 a.m. appointment. When leaving for her second appointment, she noticed water on the floor near a closet door. When she went to investigate the water, Robert Levesque jumped out of the closet, grabbed her by the hair, forced her to the floor and beat her on the head. When she attempted to get out of the house, Mr. Levesque ran

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beat her on the head. When she attempted to get out of the house, Mr. Levesque's
neighbourhood witness said she heard screaming.

Mr. Levesque said he had gone to Mrs. Levesque's home at her invitation to discuss
of the matrimonial home. According to the evidence, she was to receive an inheritance
to buy out his interest in it.

"When I told her the house would have to be sold, she exploded," he said. Testifying in
defence, he told the court he did not assault her, but merely attempted to restrain her
him. As this went on, he said, the 100-pound Mrs. Levesque had fallen against the bi-
door, knocking it off its track, and sending a nearby coat rack askew.

"When she was up, she pulled out of my grip. Her tail bone hit the door. She had her
her hair was falling over her face, she was swinging, swinging, kicking, swearing."

Orangeville lawyer Raj Napal, acting for Mr. Levesque, argued in summation that his
not have gone to the house except by invitation, with full knowledge that a court order
him from doing so. This raised legal argument of whether such an invitation would be
excuse" to violate a probation order, and of whether Mrs. Levesque would have had to
alter a court order.

Mr. Napal, telling the jury his client "is no angel," said it would have been impossible for
hide in the closet because of the number of things in it. And, under cross examination
Marie Balogh, Mr. Levesque had said, "If I jumped out of the closet, the whole door would
There's no room." He said he couldn't explain why one of Mrs. Levesque's arms was bruised
the other wasn't if he had held her by both arms. "I don't know. I just tell you what I did
gets bruised and the other doesn't, I can't explain that."

In his summation, Mr. Napal said there were no bruises on Mrs. Levesque's head despite
beating she said she had taken. He described the complainant as "crying at every opportunity
direct examination, but cool and collected under cross[-examination]." He alleged that
up" his client, and then reported his presence to the police "to get him out of the way."

In hers, Crown Balogh said Mrs. Levesque did have a bump on her head and soreness
eye. She had lost an earring and a contact lens. Ms. Balogh said that Mrs. Levesque had
"plagued" over 18 months by the accused. She alleged threats of death in March 2004,
probation in October, breach of recognizance in March 2005, criminal harassment in March
the current charges in June 2005.

In a two-hour charge to the jury, Mr. Justice Emile Kruzick outlined the decisions that must
along with the relevant principles of law.