



The Witnesses

Mark Wyler	The Accused
Susan MacKenzie.....	Investigating Officer
Dana Schroeder	The Complainant
Norman Greene.....	Schroeder's Neighbour
Brad Peltier	Wyler's Roommate

The Crown's Case

The Crown alleges that Mark Wyler committed theft over \$5000 when he entered through the back door of Dana Schroeder's house and took a state-of-the-art home theatre system belonging to Dana.

The Crown will call three witnesses to give evidence: Susan Mackenzie, the police officer who arrived at the scene; Norman Greene, Schroeder's neighbour; and Dana Schroeder, the complainant.

Officer MacKenzie will testify that on June 27 she was called to investigate an alleged theft at the home of Dana Schroeder. She will attest that in one corner of the living room there was an empty wooden shelving unit and that on the shelves were three rectangular outlines surrounded by dust. Traced in the dust were the initials "M.W." Officer MacKenzie was later called to Wyler's house where Wyler and Schroeder were present. When MacKenzie arrived, Wyler and Schroeder were arguing. Schroeder told the police officer that the home theatre devices sitting in the corner of the room were hers. Wyler admitted at the time that this was true. Officer MacKenzie then arrested Wyler and informed him of his rights.

Norman Greene, a neighbour of Dana Schroeder's, will swear that at approximately 12:30 am on June 22, he saw a person matching the description of Mark Wyler leave Schroeder's house, rolling a dolly loaded with large objects. He rolled the dolly down the sidewalk and up a ramp onto a half-ton truck, unloaded the objects, then drove away.

Dana Schroeder will attest that she arrived home at about 10:00 am on June 27 from a holiday in Montreal. Upon entering her living room, she found her home theatre system missing. Schroeder immediately called the police who sent an officer to investigate. Later that day, she received a phone call from Mark Wyler, a friend of hers, inviting her for dinner. At Wyler's house, Schroeder became very angry with Wyler and telephoned the police. Schroeder will testify that although she was at first upset with Wyler, she later believed that Wyler could have intended the theft as joke. Schroeder will also swear that Wyler often warned her that the locks on her house were not secure and that considering the large number of people who came to her parties, often unknown to Schroeder, her expensive electronics were not safe.

The Defence's Case

The defence will call two witnesses: Mark Wyler, the accused; and Brad Peltier, Wyler's roommate.

The defence will concede that Mark Wyler took Schroeder's equipment, but as a joke and to prove to his friend, Dana Schroeder, that her house was not secure.



Case Outline ...continued

Peltier will testify that he had discussed with Wyler his plans to take Schroeder's home theatre while she was away on holidays. Peltier had cautioned Wyler that Dana Schroeder would not take it as a joke.

Wyler will testify that he entered Schroeder's house by slipping a credit card through the latch of the back door and took Schroeder's home theatre system, but meant it only as a joke and to teach Schroeder a lesson. Wyler will also testify that he intended to invite Schroeder to his house that day after he took her equipment to let her discover her missing things. Wyler will also attest that he phoned her the day of her return from her holidays and invited Schroeder for supper. When she arrived for supper, Wyler tried to explain the joke, but Schroeder, who was very upset, called the police.

In summary, the defence will allege that Wyler took Schroeder's home theatre system as a prank to show Schroeder that the locks on her house were not secure, and he had not intended to commit theft.