

# R v Kendall



Canada,  
Province of Ontario,  
City of Missinaba,  
In the Superior Court of Justice,

His Majesty the King

Against

Sasha Kendall

Sasha Kendall stands charged:

That they, on the 30th day of October, in the year 2025, at the store Wheelie Good Bicycles, in the City of Mariposa in the County of Missinaba, did commit an offence of theft contrary to s. 322(1) of the Criminal Code of Canada.

Dated this 17<sup>th</sup> day of November A.D 2025 at Mariposa, Ontario.

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Jespar Oni,

Agent for the Attorney-General of Ontario



## Witness List

### Crown:

- Alex Garcia
- George Harper

### Defence:

- Sasha Kendall
- Rory Wilkin

*Note: For the purposes of the mock trial competition, no formal application will be necessary if the Defence team decides to use an alternate suspect defence.*

This case presents the possibility for the Defence team to introduce an alternate suspect. If the Defence team wants to do this, the team will need to provide sufficient connection between the alternate suspect and the offence to raise reasonable doubt about the accused's guilt.

In this context, the Crown team has an obligation to discredit the testimony and provide sufficient grounds to counter any impression of an inadequate investigation.

## SWORN WITNESS STATEMENT OF ALEX GARCIA

My name is Alex Garcia, and I am the owner of Wheelie Good Bicycles. My store opened almost 10 years ago, but we only just started making a profit in the past few years. Money is tight, but I really love the community that I've built. I organize group bike rides, community bike nights - where folks can learn how to fix their own bikes- and I constantly try to give back. I think that's why this situation hurts so much. I am constantly dealing with petty theft, but its usually small things like a bike tube or a light. So, it came as a real shock when one of my fanciest bikes went missing. I love it so much! It retails for over \$15,000 so I'm really devastated. I will get some money back from insurance, but still.

I noticed that the bike was missing around 6:00 pm. I remember seeing the bike that morning when I was working on the shop floor, but I went to the basement for a break around 5:30. When I finished my break around 6pm I saw the bicycle had been taken. I have a keypad lock on that door, but to be honest, I haven't changed the code in years. All current and former employees know the pin.

There wasn't much to do beyond the normal procedure at that point. I called the police, filed an insurance claim, and called a locksmith to get me a new lock. When the police arrived, there wasn't much they could do but they took my report. I talked about my experience with the theft on social media and was genuinely surprised when a regular customer of mine, George Harper, let me know that they saw Sasha riding away on the bike.

I had an awkward conversation with Sasha about 3 weeks before the theft to cut their hours - ever since the new semester of school began, I could tell that their heart wasn't in the bike store anymore. Sasha kept cancelling shifts or not turning up to work so I had to find someone more reliable. I know how much Sasha loves working here, and how much Sasha needs the money, but I need my employees to turn up to work!

The bike parts from the bicycle are worth a lot of money and would be easy to sell on the resale market. The parts are very generic and fit a lot of different types of bikes, so many people would be interested. The parts are also very easily removed from the bike - especially if you have a bit of experience working with bikes. Without the serial numbers I can't be sure that the parts found in Sasha's apartment come from the stolen bicycle - they look like they came from my store, but I don't keep good records of all my parts sales.



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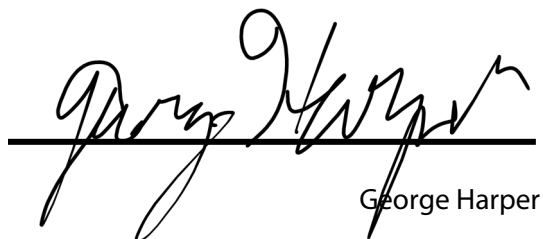
Alex Garcia

## SWORN WITNESS STATEMENT OF GEORGE HARPER

My name is George Harper, and I am a resident of 333 Main Street. I am a regular of Wheelie Good Bicycles, so I was sad to hear about the brazen theft of one of their best and newest products. I know how hard it is to run a small business, and I know how hard the owner Alex works. On the afternoon the bike was stolen I was out walking my dog. It was pouring rain, and my glasses were covered in raindrops, so I didn't see the cyclist coming straight at me until the last second. The cyclist was riding on the sidewalk really fast, and I had to jump into a puddle to avoid getting hit. I could tell that it was my degenerate neighbour Sasha. I went to the building security office and got them to pull the surveillance footage because it makes me so mad when cyclists break the law and ride on the sidewalk. You can clearly see in the picture that it is Sasha. The person in the photo has a raincoat that I'm certain Sasha wears all the time. Additionally, I can recognize Sasha's profile. I am 100% sure that it was Sasha biking past me.

When I heard about the theft from the officer knocking at my door, I knew I had to make a statement. I can easily confirm that the surveillance footage is Sasha.

Sasha is for sure the type of person who would steal from a small business just to make a quick dollar. Sasha lives across the hall from me and is always having loud parties, causing neighbour drama, and generally being a bad apple in our community. I am friends with our landlord, and I know that Sasha has struggled to pay their rent on time for the past few months. I can only assume that Sasha is doing something illegal to afford the high prices of our apartment building, and I don't know why Sasha lives alone in a two bedroom! No other students live in the building.



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George Harper

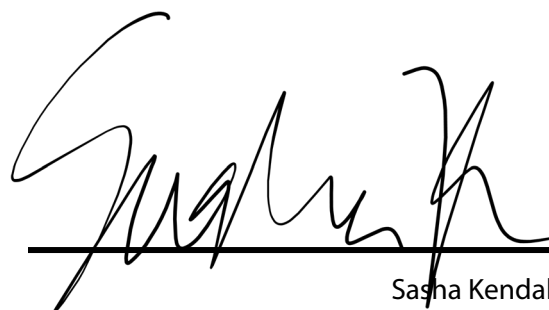
## SWORN WITNESS STATEMENT OF SASHA KENDALL:

My name is Sasha Kendall, and I am a resident of 333 Main St. For the past few years, I worked at the bike store, Wheelie Good Bicycles, as a mechanic, while I work towards my engineering degree. Last semester, around October, classes got really difficult, and I couldn't make time to also keep my regular shifts. Instead of being flexible and understanding, Alex – the owner – decided to cut my hours. Money is tight so I also rent out a room in my apartment to my childhood friend Rory. Rory moved in about 6 months ago. I am a hardworking person, and I would never steal. And if I were to steal, it wouldn't be from a small business in my own neighbourhood!

A few weeks after Alex cut my hours, police came to my door and said they had a search warrant. I was confused and didn't know what they were talking about, but I let them in. They immediately went to my work bench area and started taking all my tools. Since I'm a mechanic, I have a lot of tools for a variety of repairs. I never know what I am going to be working on, so the tools I need are varied, and yes, I also have some bike-specific tools. I have been growing my knowledge of bikes and tinkering on parts I get second hand to potentially resell and get a few extra dollars for my tuition. The police took my (very expensive) box of bike parts. Back in May I had bought a bunch of expensive parts from Wheelie Good Bicycles to build my brother a bike as a gift – I just hadn't had time to build it yet. I don't remember who was working the cash when I bought the bike parts.

Until they took me to the police station, I still didn't know what was going on. They told me that I was being charged with theft! The surveillance footage could be of anyone - it doesn't even look like me! I have a similar raincoat, but they are for sale at my university store and thousands of people have the clothing with those patterns.

The fact that it was George who identified me everything makes a lot more sense. George has always hated me for some reason, I think just having neighbours at all makes George angry. If I make any noise, if I forget to clean up the shared BBQ area – George is in my face about it! I also know that the tools make me look bad, but I needed them for work and fixing up bikes is a hobby. It's all just too convenient for George in my opinion.

A handwritten signature in black ink, appearing to read 'Sasha Kendall', is written over a solid black horizontal line.

Sasha Kendall

## SWORN WITNESS STATEMENT OF RORY WILKIN:

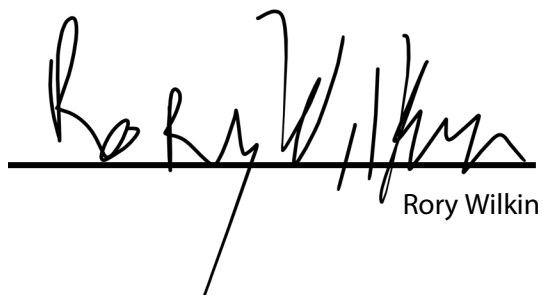
My name is Rory Wilkin, and I am renting a room in an apartment at 333 Main Street. Sasha, and I have been best friends since we were little kids. We couldn't be more different, but our friendship is solid despite our differences. Technically Sasha's lease doesn't allow for multiple people in the apartment, but Sasha needs the money, and I need somewhere to sleep so I pay Sasha in cash and we look enough alike that nobody at the front desk has ever said anything.

I really value my friendship with Sasha. You see – I have a bit of a troubled past you could say. Not just anyone would live with me. As kids, I would always be the one trying to lead us down the wrong path, but Sasha was the good one – and still is. Last March Sasha even bought a bunch of bike parts to build their brother a new bike.

Sasha has good values. At the start of the semester, I discovered AI could do most of my coursework – why would anyone do readings or assignments anymore? I leave things to my AI "Chatty Petey", and that has left me with so much more free time. I've gotten really into BBQing and have started to host lavish parties for our friends in our building's courtyard. Sasha was really upset when I showed them how AI could do homework for us. Sasha went on a big rant about "academic dishonesty" and decided to prove to me that hard and honest work is the way to go.

When I moved into the apartment with Sasha, they even hooked me up with a part time job at Wheelie Good Bicycles where they work. I didn't last long because customers didn't seem to like me and Alex always had it out for me. I decided to quit after only working there for two weeks.

Sasha would never admit to this, but even though our cranky neighbour George constantly complains about us to management, Sasha goes above and beyond -always sweeping our shared hallway, shovelling snow, bringing in the mail. I don't think George has any idea how much Sasha does for our building. George is always going on about the BBQ situation, but I do my best to clean up after myself, I just sometimes forget for a day or two.

A handwritten signature in black ink that reads "Rory Wilkin". The signature is written over a solid horizontal line. The name "Rory Wilkin" is printed in a standard font below the line, to the right of the signature's end.

Rory Wilkin



## **Evidence:**

1. Evidence of officer
2. Surveillance photo
3. Photo of apartment
4. Tenant formal complaint
5. Disciplinary notice

## **Evidence of Officer (to be admitted on consent)**

1. After Alex called police, officer investigated the alleged theft at Wheelie Good Bicycles.
2. The officer went to nearby apartment building at 333 Main street to see if building security cameras had any evidence.
3. Security office at the building provided security footage and noted that a tenant, George Harper, had identified a suspect as their neighbour Sasha Kendall.
4. Officer took statement from George Harper and decided to get a warrant for Sasha Kendall's apartment.
5. Officer then investigated the now primary suspect, Sasha Kendall. Sasha was cooperative and invited the officer in.
6. The officer found some high-end bicycle parts in the apartment but not the bicycle itself. The parts were out in the open in the front hallway. Some of the bicycle parts are compatible with the stolen bicycle. Parts with the serial number 78988123, 78988143, 1435867, and 1567920 were identified.
7. Upon searching the apartment, officer saw a raincoat matching what the suspect was wearing in the surveillance video taken at 5:43pm on day of the theft. Raincoat was found in the front hallway.
8. Officer arrested Sasha as the primary suspect in the theft reported by Wheelie Good Bicycles.

## Surveillance photo (taken from surveillance video)



## Photo of Sasha Kendall's apartment





## Tenant formal complaint – 333 Main street

September 10<sup>th</sup>, 2025

Main Street Building Co.

333 Main street

Mariposa, Ontario, A1A1A1

Dear Management,

I am the tenant of Apt 12, 333 Main Street. For the past few weeks, I have made multiple verbal complaints to the management team representatives, and to the security team. I am having repeated negative interactions with Sasha Kendall, the tenant in apartment 10. These negative interactions include:

1. Loud music from their apartment after the required 10pm quiet time
2. Messy bike repair tools/parts in the shared hallway space, in violation of our tenancy agreement s.4(1) which requires shared hallways to remain empty
3. Passive aggressive comments verging onto harassment when I try to use the shared BBQ area
4. Many guests staying longer than the maximum two weeks for non-tenants

Please contact me right away to let me know how these issues can be resolved.

Regards,

George Harper

## Disciplinary notice – Wheelie Good Bicycles

Wheelie Good Bicycles, 390 Main Street

Sasha Kendall, Sales Associate

Alex Garcia, Owner and Manager

September 28, 2025

Subject: Written warning

Dear Sasha,

At Wheelie Good Bicycles, we recognize the importance of maintaining a consistent and reliable workforce, maintaining workplace standards, and retaining our people wherever possible. Wheelie Good Bicycles wants to retain you as a team member. However, some changes to your behaviour at work are needed to ensure your employment can continue.

We are issuing a written warning because you have failed to meet the performance we expect of you, as outlined in your terms of employment.

Specifically, you have tuned up late to shifts on September 10, 14, and 18<sup>th</sup>. You received verbal warning for your tardiness on September 20<sup>th</sup>. On September 24<sup>th</sup>, you failed to show up at all for a scheduled shift. This written warning marks an opportunity for you to correct your unsatisfactory behaviour.

For your behaviour to be considered satisfactory, you must achieve and maintain the following performance standards. You cannot be more than 10 minutes late for any shift for the remaining shifts you have scheduled in the year and you cannot miss any shifts without 24 hours notice. To ensure stability in our company, your hours will be reduced until we have resolved the issue.

Your failure to meet the conditions of this written warning, the development of new or related problems, will lead to more serious corrective action – up to and including the termination of your employment.

We believe that you add significant value to our company and hope you will work to improve your behaviour.

A handwritten signature in black ink, appearing to read "Alex Garcia".