

Driver left woman to die Defendant ordered pizza minutes later

Shelley Knapp
Calgary Herald

Tuesday, December 13, 2005

Minutes after he ran over Lindsay Giacomelli -- leaving her lying in a Bonaventure Drive crosswalk -- a 48-year-old Calgary man headed to his southeast home in Maple Ridge and ordered pizza and a pay-per-view movie.

According to an agreed statement of facts entered in provincial court, Colin Jones stopped only for a moment but did not offer assistance after the St. Patrick's Day incident.

A day later, around the time the 20-year-old died from her injuries in Foothills hospital, Jones was involved in another collision with a flat-bed truck in Carstairs.

With his Dodge Durango undriveable and in an impound lot in Didsbury, Jones rented a car the next day at the airport and drove to Regina, where he boarded a flight to Winnipeg.

From there, he jumped on a jet to Toronto, purchasing a one-way ticket to Gatwick, England.

Police boarded that Air Transat flight, where Jones was seated in 8D, and arrested him.

Jones's five-day trial on the hit-and-run charge, stemming from the University of Calgary student's death, was scheduled to get underway Monday.

However, in a rare move with the consent of the Crown, defence lawyer Balfour Der re-elected for his client to be tried by a judge and jury at Court of Queen's Bench.

Earlier in the day, Der failed in a bid to have the trial adjourned, saying he was awaiting details of psychologist Dr. Tom Dalby's report. A courtroom filled with Giacomelli's friends and family heard the defence will argue Jones didn't have a "guilty mind" or intend to commit a crime.

Der later refused to discuss the specifics with reporters.



CREDIT: Dean Bicknell, Calgary Herald
Colin Jones, who is charged with a hit-and-run, leaves provincial court. The defence will argue Jones didn't have a "guilty mind" when he committed the offence.



CREDIT: Dean Bicknell, Calgary Herald
Leslie Giacomelli, right, mother of Lindsay Giacomelli, leaves the provincial courthouse with a family friend Monday.

"We will be establishing whether there is a lawful reason for him leaving," said Der outside court. "He doesn't fall within the Criminal Code for required intent."

He added his client doesn't deny he was driving the truck that ran into Giacomelli after he left the Rose and Crown Pub. His tab had five drinks on it; however, it's not known whether Jones consumed all of them. He did, however, have a drink earlier in the day at the Irish Rugby Club.

"We believe there is a defence for him. . . . The Crown may never have to call any evidence," added Der. "We anticipate admitting the whole of the Crown's case and then we will be able to present our side of the case."

Der added there is an "innocent explanation" for the flights his client booked.

For Alex Migallo, who worked with Giacomelli before she died, the whole thing is disheartening.

"The defence has had nine full months to come to some conclusion. I just don't feel this is an appropriate time frame, and to put the family through all of this trauma again is not right," she said.

"It's a waste of time, waste of money. Just no one can really put a price on the devastation to a family," said Migallo.

Giacomelli's family did not want to discuss the case until after the trial is completed. Lindsay Giacomelli, known for her love of dance and Disney, died from severe injuries sustained in the March 17 collision.

The injuries included a broken pelvis, collapsed lung and swelling, shifting and bruising of the brain.

"I am a mother. I would be devastated. She had so much to live for," said Kathy Morrison, another family friend in court on Monday.

Jones is free on \$5,000 bail.

He has surrendered his passport to city police and has an 8 p.m. to 6 a.m. curfew. Jones is to be back in court on Feb. 8 to set a new trial date.

sknapp@theherald.canwest.com

© The Calgary Herald 2005



CREDIT: Dean Bicknell, Calgary Herald
Kathy Morrison, left, and Alex Migallo, close family friends and co-workers of hit-and-run victim Lindsay Giacomelli, listen as Balfour Der, lawyer for accused Colin Jones, speaks to reporters.

CLOSE WINDOW