

**Criminal****What happens to chair of the bored | Marcel Strigberger**By **Marcel Strigberger**

Marcel Strigberger

(August 7, 2020, 2:16 PM EDT) -- Our courts saw the sentencing recently of Marcella Zoia, who in February 2019 tossed a chair from her balcony 45 floors down on to Toronto's Gardiner Expressway. Dubbed, "Chair Girl," she pleaded guilty to mischief endangering life and was fined \$2,000 and sentenced to two years probation, including 150 hours of community service.

My question is, why would she do that? Following are some possible explanations.

- 1) Artistic — Perhaps tossing that chair was her contribution as an art "installation." These can include mixed media events such as that artist who travels around lining up and photographing dozens of naked people or the one who pinned a banana to a canvas which was valued at six-figure dollars. Hey, if those events are art, maybe we have a new legal defence: "Your Honour. It's art. Not guilty."
- 2) Scientific — Maybe she thought that the concept of gravity should be revisited. Just maybe Sir Isaac Newton missed something with that apple and Marcella just thought she would keep Sir Isaac honest. Everybody knows an apple falls down off a tree. But a chair off a 45-floor balcony? Ahh! Another legal defence? Scratch that guilty plea?
- 3) Environmental — Is it possible it was garbage pickup day and she noticed the truck approaching? To save a trip down 45 stories she took careful aim hoping the old chair would fall into the truck. This would show consideration for the loaders who would otherwise have to stop and remove the discarded chair. Still guilty?
- 4) Philosophical — We hear the question, if a tree falls in the lonely forest does it make a sound? Maybe she wanted to test that theory. But why go to a lonely forest when you can take a wooden chair and run the test from the convenience of your balcony. And supposedly if there is no traffic on the Gardiner Expressway at the time, the situation would not be much different than a lonely forest. A lonely forest, a lonely Gardiner? Would this defence fly? Hmmm.
- 5) Attention-getter — Likely? Nah. This would mean that the lady to get some attention would have to drag a chair out onto her balcony, set up her iPad or whatever device to film the event and go "wheee," just to get it on say Facebook, with the intention of garnering some "likes." I suppose the video would be a bit different than the more common posts like someone's beagle playing Frisbee with his neighbour's cat. However, the presumption would be she did not care about the projectile landing on an unsuspecting vehicle below and causing serious damage. Now why would somebody do such a thing? Why indeed?

Even though nobody was injured or worse, many people thought Marcella Zoia should have gotten some jail time as a deterrent to others who might have similar ideas. I am not sure about that. Given the negative press and the hefty fine she got, I do not expect the next kook to think to himself or herself, "I wonder if sofas can glide?"

And Marcella still must do that 150 hours of community service. I trust she will be made to do this

service wherever, from the ground floor.

*Marcel Strigberger retired from his Greater Toronto Area litigation practice and continues the more serious business of humorous author and speaker. Visit [www.marcelshumour.com](http://www.marcelshumour.com). Follow him @MarcelHumour.*

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