

Open Letter To Canadian Judicial Council “CJC” Executive Director Mr Norman Sabourin;

Table of Contents

Open Letter To Canadian Judicial Council Executive Director Norman Sabourin-	1
Notice of Application and Constitutional Question To Canadian Judicial Council-	5
Letter To Supreme Court Registrar / Supreme Court Chief Justice-	16
Registrar Civil Proceedings Constitutional Question Before Supreme Court Chief Justice -	33
Registrar Criminal Proceedings Constitutional Question Before Supreme Court Chief Justice -	43

In the history of the Supreme Court, except to target Ade Olumide, you cannot produce a single case of no s40 Supreme Courts Act jurisdiction to hear appeal of Supreme Courts Act “final judgement” from a Supreme Courts Act “Court of Appeal”. CJC is in conflict of interest because CJC is a beneficiary of A367-16 Supreme Court no jurisdiction falsehood, CJC is a beneficiary of in court and out of court deliberate falsehoods that CJC has criminal code immunity with intent to without jurisdiction defraud mandatory criminal code and charter right to access criminal courts, CJC is a beneficiary of Chief Justice Wagner illegal refusal to hear appeal of registrar illegal refusal to hear criminal proceedings constitutional question / civil proceedings constitutional question. Therefore any CJC refusal to hear unconstitutionally overbroad grossly disproportionate Judges Act 63(2), 61(3c), CJC Procedures s4.2, s5 constitutional question is a conflict of interest s380(1) Criminal Code.

Allard v. Canada, 2016-02-24, 2016 FC 236, T-2030-13...principles of fundamental justice ... overbreadth ... gross disproportionality ... a law that takes away rights in a way that generally supports the object of the law, **goes too far by denying the rights of some individuals in a way that bears no relation to the object**...grossly disproportionate effect on one person is sufficient to violate the norm... effect actually undermines the objective”.

There is no CJC bylaw that permits you to refuse to refer a challenge of the constitutionality of a CJC bylaw to CJC. s61(3) Judges Act clearly states only Council can make a bylaw, s59 Judges Act defines the meaning of Council to be ALL members of Council (not CJC Executive Director). To the extent that you may hope to use s4.2 “any other matter” powers, it is also being challenged as unconstitutionally overbroad due to CJC lack of jurisdiction to give you power to violate;

- I. inalienable natural constitutional rule of law right to self-defence against online defamation, racial discrimination political career destruction, crimes that include arrest / assault / extortion / obstruction of justice,
- II. CJC’s s59, s61(3) Judges Act jurisdiction,
- III. defraud Constitution Acts, 1867 to 1982 52(1) "Any law inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect",
- IV. constitutional rule of law against arbitrary (contrary to Judges Act 60(1) “objects of council”) application of public power which is bad faith,
- V. constitutional rule of law right to an impartial administrative tribunal,
- VI. constitutional rule of law against absurd statutory interpretation,
- VII. constitutional rule of law against conflict of interest,
- VIII. criminal revictimization of victim principle of fundamental & natural justice,
- IX. “no such thing as absolute discretion” principle of fundamental & natural justice,
- X. s7, s9, s10, 15 Charter of Rights,
- XI. s12 Charter Rights s2(b) Canada Bill of Rights to against cruel treatment,
- XII. s2(e) Bill of Rights to “bonafide exercise of discretion” principle of fundamental / natural justice,

Judges Act 63(2), 61(3c) section 4.2 "section 5 is unconstitutionally overbroad grossly disproportionate, therefore, if you cannot confirm that this 63(2), 61(3c) Judges Act, s4.2 s5 of the *CJC Procedures for the Review of Complaints or Allegations About Federally Appointed Judges*" constitutional question has been referred to s59 Judges Act CJC, I will have no choice but to report this crime to the RCMP Commissioner. The evidence relied on for the constitutional question includes 65 complaints listed in the Notice of Application, therefore the following court organizations are in a conflict of interest, therefore they should not have a vote on merits hearing of the constitutionality of 63(2), 61(3c) Judges Act, s4.2 s5 of the *CJC Procedures for the Review of Complaints or Allegations About Judges*;

1. Supreme Court of Canada (Criminal / Civil)
2. Federal Court of Appeal (Civil)
3. Federal Court (Civil)
4. Ontario Superior Court Of Justice (Criminal / Civil)
5. Ontario Court of Appeal (Criminal / Civil)
6. Alberta Court Of Appeal (Criminal)
7. Alberta Court Of Queen's Bench (Criminal)
8. Quebec Court Of Appeal (Criminal)
9. Quebec Superior Court (Criminal)
10. BC Court of Appeal (Criminal)
11. BC Supreme Court (Criminal)
12. New Brunswick Court Of Queen's Bench (Criminal)
13. New Brunswick Court of Appeal (Criminal)

You previously violated my s15 Charter rights by reproducing "english language deficiencies" ethnic origin stereotype used by Justice Hackland to justify Conservative "Party Brass" discrimination against me, but, all the lawyers and judges working for CJC cannot defeat this 63(2), 61(3c) Judges Act, s4.2 s5 *CJC Procedures for the Review of Complaints or Allegations About Federally Appointed Judges* constitutional question. As a black African immigrant with alleged English language deficiencies, CJC should be able to easily defeat this constitutional question.

The April 9, 2018 CJC Executive Director email decision to use 63(2), 61(3c) Judges Act, s4.2 s5 *CJC Procedures for the Review of Complaints or Allegations About Federally Appointed Judges* has triggered this Constitutional Question, as you know, in SCR 504, the Supreme Court ruled that any administrative decision maker that uses statutory power, has the power and jurisdiction to determine the constitutionality of law used without the need for a court proceeding. Further,

- a) firstly, neither CJC nor any court nor the Crown has criminal code immunity,
- b) secondly constitutional independence is not synonymous with common law civil immunity, civil immunity is a common law doctrine (not a constitutional doctrine),
- c) thirdly there is no civil immunity for judges acting without jurisdiction or in bad faith,
- d) fourthly as you know the courts have ruled that CJC is not a court, although CJC judges are able to exercise court subpoena powers in order to implement government Judges Act "record of investigation" policy on a they do not seat as an s96 constitutionally independent court, they are agents of the Crown, therefore like any other government agency they are subject to the Charter,
- e) fifthly since CJC was the target for criminal prosecution in 10 criminal courts, and judges lied in court and out of court in order to act without jurisdiction to defraud access to criminal court, refusing to hear the constitutional question is an abuse of process doing indirectly (acting without jurisdiction to violate constitutional positive obligations) what cannot be done directly,
- f) sixthly CJC is not incorporated, if CJC refuses to hear the constitutional question, that would be a s380(1) criminal offence of acting without constitutional jurisdiction to defraud a public service in

order to encourage ongoing crimes, therefore each CJC member does not have criminal code immunity or common law civil immunity.

Your April 9 decision re Supreme Court Justices violating s362(1) of the criminal code by deliberately lying no jurisdiction in writing with mens rae to obtain a personal benefit of avoiding personal and Supreme Court organizational liability from prior no jurisdiction falsehoods is a crime, because you know that no s40 Supreme Courts Act jurisdiction to hear appeals of Federal Court of Appeal verbal “final judgement” in T1534-16, written “final judgment” in Federal Court of Appeal files T1640-16, 16-A-38, A294-16, A367-16, A164-16, A201-16, A313-16, written “final judgment” in Quebec Court Of Appeal written in 500-09-026878-173, written “final judgement” in New Brunswick Court of Appeal is a violation of 21b, 23, s22.2, 25.1(9)(11b), 139(1) (2) (3a), 341, 362, s380(1) of Criminal Code because;

- I. You represented CJC in A367-16, you did not take a position on no jurisdiction, in the entire history of the Supreme Court you could not produce a single authority where the Supreme Court ruled no s40 Supreme Courts Act jurisdiction to hear the appeal of any of Supreme Courts Act “final judgement” or interlocutory “judgement” from a Supreme Courts Act “Court of Appeal”.
- II. You know that even the lawyer representing the Supreme Court in T1640-16, refused to take a position on no s40 Supreme Courts Act jurisdiction falsehood.
- III. You know that in a flummox turn of events an employee of the Supreme Court Registrar issued an April 12, 2018 letter falsely stating the Supreme Court has jurisdiction over C61636 written decision by an Ontario Court of Appeal registrar who is not a member of the Ontario Court of Appeal and despite Courts Justice Act right to appeal to a judge, then to a panel of judges, he lied C61636 decision of a registrar is a final judgement.
- IV. In another April 23, 2018 letter re Quebec Court Of Appeal re 500-09-026878-173 an employee of the Supreme Court Registrar lied to cover up for his boss “motion for reconsideration ..is incomplete ... for ... a sworn affidavit setting out .. rare circumstances ... why the issue was not previously raised..”, but I provided an affidavit and evidence that a JP had issued process against CJC and Office of The Auditor General of Canada and overturned the Superior Court criminal Justice Hackland by ordering that the s579 Criminal Code constitutional question proceed so as to prevent Ontario from blocking the CJC criminal prosecution. This material was not before the panel because the Supreme Court registrar had cashed \$600 cheque on the contract to provide a no s40 Supreme Courts Act explanation, so I said that I would not pay the \$75 application fee for Quebec Court Of Appeal re 500-09-026878-173 until he provided a no s40 Supreme Courts Act explanation, so the criminal Roger Bilodeau sent the file to a panel without receiving the \$75 in order to cover up his crimes. However the Supreme Court has posted a libelous comment on their website claiming that this affidavit is missing, this is to mislead the public / legal community that the problem is immigrant english language deficiencies.
- V. You know that I have brought registrar crimes to the attention of Chief Justice Wagner, but he is violating s122 Criminal Code by refusing statutory jurisdiction good faith duty to supervise the registrar with mens rae to obtain a personal benefit of avoiding liability from his no jurisdiction falsehoods and his refusal to hear an appeal of Supreme Court Registrar Roger Bilodeau refusal to hear a civil proceedings constitutional question as well as a criminal proceedings constitutional question. Without a court order, all these administrative criminal misconduct by Chief Justice Wagner are “out of court” crimes but I will wait for the disposition of the CJC

constitutional question before making a complaint against Justice Wagner refusal of s15 Supreme Court Act duty to supervise handling of 30 plus letters between me and registrar.

- VI. You know that deliberate in court and out of court false statements to defraud access to criminal court in order to facilitate a crimes of deliberate in writing and verbal judicial falsehoods to; act without jurisdiction, exceed jurisdiction, defraud first instance, defraud appellate jurisdiction, defraud criminal code, statutory and constitutional property and service, for improper purpose of facilitating illegal arrest, assault, extortion, obstruction of justice, benefitting themselves personally (Wagner, Mclachlin, Hackland, Strathy, Stratas, Martineau, Smith, Drapeau, Bowden, Trudel, Gleason, Tabib, Locke, Heather Forster Smith), their employer / Council they have interest in, is a crime engaging a rule of law self-defence right and rule of law against criminal revictimization of victim principle of fundamental justice.

In a March 21, 2018 email, Hon Jody Wilson-Raybould, Attorney General of Canada wrote *“In the event that a judge .. committed a criminal offence, the CJC (CJC) can investigate ... whether the judge should be removed from office ... the Criminal Code applies to all Canadians, including judges, law enforcement officials may investigate a judge for breach of the Criminal Code and lay charges ...”*.

Nova Scotia (Workers' Compensation Board) v. Martin; [2003] 2 SCR 504, 2003 SCC 54 (CanLII) The Constitution is the supreme law of Canada and, by virtue of s52(1) of the Constitution Act 1982, the question of constitutional validity inheres in every legislative enactment. From this principle of constitutional supremacy flows, as a practical corollary, the idea that Canadians should be entitled to assert the rights and freedoms that the Constitution guarantees them in the **most accessible forum available, without the need for parallel proceedings before the courts.**

Madadi v. B.C. (Ministry of Education), 2012 BCHRT 380 (CanLII) [71] ...The difficulty with these decisions is that they appear to have carved out an exemption to the application of human rights legislation based on a common law principle. In the words of the Supreme Court in Ocean Port, the Tribunal has **elevated a common law rule to constitutional status.** [72]... While it is open to a Court to define the scope and application of common law concepts such as negligence, Bolster makes clear that it is not similarly open to read down human rights legislation on the basis of common law principle. [73] It could be argued that the constitutional guarantee of independence extends to certain tribunals and may be inconsistent with the application of the human rights legislation to certain Court-like functions carried out by those tribunals. It does not appear, however, that the argument has never been addressed to date by the OHRT. As a result, I am driven to conclude that the decisions of the OHRT to date, with respect to the immunity issue, is of little persuasive value in British Columbia. Conclusion Respecting Judicial Immunity [74] While the decisions of both our Courts and the Ontario Human Rights Tribunal express that there are sound reasons for immunizing judicial and quasi-judicial decision makers from civil suit: promoting finality of decision-making and the public interest in the integrity of the justice system, a key element of which is impartial and independent decision makers, **constitutional judicial immunity does not apply** to the hearing process of the TRB. As expressed in Ocean Port, “While tribunals may sometimes attract Charter requirements of independence, as a general rule **they do not**”. Certainly it is clear that the TRB was created for the primary purpose of implementing government policy respecting education. **It therefore does not attract constitutional guarantees of independence** in my view. I am driven to the conclusion that **judicial immunity does not apply** to the processes of the TRB whether they be those functions that may be performed interchangeably by Courts or tribunals, such as the discipline hearing in this case or responsibilities related to the sort of policy-driven adjudicative responsibilities that could not be performed by the Courts. Ade Olumide

NOTICE OF APPLICATION AND CONSTITUTIONAL QUESTION TO CJC

1. The applicant makes application to be heard immediately by s59(1) Judges Act “Council” for; 63(2), 61(3c) Judges Act, s4.2 s5 *CJC Procedures for the Review of Complaints or Allegations About Federally Appointed Judges*” s52(1) of the Constitution Act 1982 DECLARATIONS THAT;

- I. CJC lacks jurisdiction to give the Executive Director power to put s4.2 s5 beyond the reach of the constitution, CJC illegally refused to create “record of investigation” for 65 criminal / constitutional misconduct complaints with mental intent to contravene objects of the Judges Act by encouraging in court and out of court judicial criminal constitutional “misconduct” through;
- a) inaction which is contrary to inalienable natural constitutional rule of law right to self-defence against online defamation, racial discrimination political career destruction, crimes that include illegal arrest / assault / extortion / obstruction of justice,
 - b) inaction which is contrary to rule of law against acting without jurisdiction to change the meaning of Judges Act 60(2c), 63(2) 65(2) mandatory CJC good faith consideration of rights to complain of Judges Act '65(2)(b) having been guilty of misconduct, (c) having failed in the due execution of that office, or (d) ... conduct or otherwise... incompatible with the due execution of that office,' to exclude criminal constitutional “misconduct” [deliberate in court and out of court falsehoods to defraud access to criminal court in order to facilitate a crimes of deliberate in writing and verbal judicial falsehoods to; act without jurisdiction, exceed jurisdiction, defraud first instance, defraud appellate jurisdiction, defraud criminal code, statutory, constitutional property and service, for improper purpose of facilitating illegal arrest, assault, extortion, obstruction of justice, benefitting themselves personally by covering up a previous crime that they personally committed, benefitting employer / Council they have interest in, is a crime]

- c) inaction which is contrary to the constitutional rule of law against arbitrary (contrary to Judges Act 60(1) “objects of council... improve quality of judicial service”) through bad faith abuse of Judges Act 60(2) “power of council(2) In furtherance of objects, the Council may...(c) make the inquiries and the investigation of complaints or allegations ..” to defraud Judges Act service,
- d) inaction which is contrary to the constitutional rule of law against conflict of interest due to CJC as A367-16 beneficiary of Supreme Court no jurisdiction falsehood, CJC as beneficiary of in court and out of court judicial misconduct in 10 criminal courts, CJC as beneficiary of Chief Justice Wagner refusal to hear appeal of registrar refusal to hear criminal proceedings constitutional question / civil proceedings constitutional question.
- e) inaction which is contrary to the constitutional rule of law against absurd statutory interpretation of 63(2), 61(3c) Judges Act as meaning that Parliament intends to give CJC power to make a bylaw in order to defeat the purpose of Judges Act and defeat s52(1) Constitution by excluding in court and out of court judicial criminal constitutional “misconduct”,
- Rizzo & Rizzo Shoes Ltd. (Re), [1998] 1 SCR 27, 1998 CanLII 837 (SCC) 27 “consequences... incompatible with both the object of the Act.. It is a well established principle of statutory interpretation that the legislature does not intend to produce absurd consequences. .. absurd if it leads to ridiculous or frivolous consequences, if it is extremely unreasonable or inequitable, if it is illogical or incoherent, or if it is incompatible with other provisions or with the object of the legislative enactment ... absurdity can be attached to **interpretations which defeat the purpose of a statute** or render some aspect of it pointless or futile..”
- f) inaction refusal of 60(2c), 63(2), 63(4), 65(5)(6) Judges Act jurisdiction public service right to good faith consideration of right to complain, right to be considered as a witness, right to the record of investigation and record of the inquiry be made public (if there are no public interest reason for prohibition of publication) due to “improper intent” of malice against Ade Olumide which is contrary to the constitutional rule of law right to an impartial administrative tribunal,
- g) inaction which is contrary to the positive obligation re s7, s9, s10, 15 Charter of Rights

- h) inaction which is contrary to the positive obligation re s12 Charter Rights s2(b) Canada Bill of Rights against cruel treatment,
 - i) inaction which is contrary to s2(e) Canada Bill of Rights to “bonafide exercise of discretion” principle of fundamental and natural justice,
 - j) inaction which is contrary to s12 Interpretations Act “Every enactment .. shall be given .. interpretation as best ensures the attainment of its objects”, s13 rule of law objects of Charter of Rights, Canadian Bill of Rights, Victims Bill of Rights “Whereas crime has a harmful impact on victims and on society; Whereas victims of crime and their families deserve to be treated with courtesy, compassion and respect, including respect for their dignity; Whereas victims of crime have rights that are guaranteed by the Canadian Charter of Rights and Freedoms; Whereas consideration of the rights of victims of crime is in the interest of the proper administration of justice” mandatory good faith duty to create a record of investigation,
 - k) inaction for improper purpose of defrauding property (Judges Act rights to mandatory good faith discretionary service) which is fraud by “deceit, other fraudulent means” in s380(1) Criminal Code, which is also a breach of Criminal Code; 21b, 22.2 “.. organization (b) mental state required to be a party to the offence ... (c) ...does not take all reasonable measures to stop ... party to the offence.”, Persons Administering and Enforcing the Law 25.1 (9) “No public officer is justified in ...act or omission ... offence and ... loss of or serious damage to property....”
- II. Judges Act 63(2) “..Council may investigate any complaint or allegation..”, 61(3c) “3 The Council may make by-laws.. (c) respecting the conduct of inquiries and investigations described in section 63” “s4.2 .. any other matter” "s5 of the CJC Procedures for the Review of Complaints or Allegations ... matters do not warrant consideration" statutory power to dismiss a complaint or

refuse to hear a bylaw constitutional question is an **unconstitutionally overbroad grossly disproportionate** violation of Constitution Acts, 1867 to 1982 52(1) "Any law inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect" because Canada and CJC lack jurisdiction to exclude criminal code constitutional offences from 65(2)b,c,d Judges Act reprimand or removal, they shall read in "subject to criminal code, constitution".

- III. Conduct that removes immunity in Alberta, Manitoba, PEI is Judges Act 65(2)b,c,d misconduct. Deliberate falsehoods in a court order so as to obtain personal benefit of covering up prior in court and out of court crimes against Olumide / maliciously targeting Olumide by acting without jurisdiction to create a two tier criminal code system through verbal direction to registrars to obstruct justice by defrauding statutory rights to access first instance and appellate criminal courts in order to avoid self-incrimination from issuing a court order and encourage ongoing crimes against Olumide, are conduct, if it is not, Judges Act 65(2d) 'conduct or otherwise' includes any non-conduct criminal code offence that is "incompatible with due execution of office". Manitoba expressly defined judicial misconduct as including any indictable criminal code offences 21b, s22.2, 25.1(9)(11b), s122, s126, s139(1)(2)(3a), s341, s362, s380(1). No legislation below defines misconduct as excluding beyond all reasonable doubt evidence of deliberate falsehoods in a court order with mens rae to act without jurisdiction to defraud "property" "service" / "obstruct, pervert or defeat the course of justice" which is "prohibited conduct" = Judges Act 65(2)b,c,d misconduct.

Judges Act 65(2)(b)(c)(d); Ontario Courts Justice Act 51.8 (1)(b)(ii)(iii); Ontario Justices Of The Peace Act 11.2 (2)(b)(ii)(iii); New Brunswick Provincial Court Act 6; Newfoundland And Labrador Code Of Ethics; British Columbia Provincial Court Act 26 (b)(c)(d); Quebec Chapter T-16 Courts Of Justice Act 262; Quebec Chapter T-16, r.1 Judicial code of ethics; Nova Scotia Provincial Court Act 17K(e)(i)(ii)(iii)(iv); Territorial Court Act 38.(1)(a)(b)(c); Alberta Judicature Act 37(3); Alberta Provincial Court Act 9.4; Manitoba The Provincial Court Act 31(2)(a)(b); Saskatchewan Provincial Court Act 2(j),55(1)(a)(b); Prince Edward Island Provincial Court Act 10(1).

<http://www.duhaime.org/LegalDictionary/J/JudicialMisconduct.aspx>

Misconduct Definition: **Conduct on the part of a judge that is prohibited ...Criminal conduct"**

Alberta Provincial Courts Act 2000 Chapter P-31 Action for damages 9.51(1) No action may be brought against a judge for any act done or omitted to be done in the execution of the judge's duty or for any act done in a matter in which the judge has exceeded the judge's jurisdiction unless it is proved that the judge acted maliciously and without reasonable and probable cause. ... (5) The Minister of Page 12 of 26 Justice and Solicitor General may make a payment for damages or costs, including lawyer's charges incurred by the judge in respect of an act, omission or matter described in subsection (1), (2) or (3).

Manitoba The Provincial Court Act C.C.S.M. C. C275 Exemption from liability 71 Except as provided in this Act, no action shall lie or be instituted against a judge or justice of the peace for any act done by him or her in the execution of a duty unless the act was done maliciously and without reasonable and probable cause.

Manitoba The Court of Queen's Bench Act; Exemption from liability 15 Where an officer of the court, in exercising the powers and performing the duties of the officer, acts in good faith, an action shall not be brought against the officer with respect to an act of the officer unless the act is malicious and is done without reasonable grounds.

Prince Edward Island Provincial Court Act, RSPEI 1988, C P-25 11. Limitation of Action (1) Except as provided in this Act, no action lies or may be instituted against a judge, or justice of the peace for any act done by him or her in the execution of his or her duties unless the act was done maliciously or without reasonable cause.

2. The GROUNDS FOR THE APPLICATION are;

I. Inaction violates bona fide exercise of discretion principle of fundamental & natural justice;

Johnston et al. v. Prince Edward Island, 1995 10509 (NL SCTD)... *City of Kamloops v. Nielsen*, 1984 CanLII 21 (SCC), "... **inaction for no reason or inaction for an improper reason cannot be ... bona fide exercise of discretion.** Where .. requisite action .. has not even been considered by the public authority, or at least has not been considered in good faith..."

II. Inaction violates "no such thing as absolute discretion" principle of fundamental justice;

Roncarelli v. Duplessis 1959 CanLII 50 (SCC), [1959] S.C.R. 121..there is no such thing as absolute and untrammelled "discretion", .. no legislative Act can, without express language, be taken to contemplate an unlimited arbitrary power exercisable for any purpose, however capricious or irrelevant, regardless of the nature or purpose of the statute. Fraud and corruption in the Commission may not be mentioned in such statutes but they are always implied as exceptions. "Discretion" necessarily implies good faith in discharging public duty; there is always a perspective within which a statute is intended to operate; and **any clear departure from its lines or objects is just as objectionable as fraud or corruption.**

III. Inaction bad faith abuse of public power with "improper intent" to violate objects of

Judges Act by encouraging in court / out of court judicial criminal constitutional crimes;

Freeman v. Canada (Citizenship and Immigration), 2013-10-23, 2013 FC 1065, IMM-6304-12, Bad Faith ...[24] The Supreme Court also stated in Roncarelli that "good faith" means "...

carrying out the statute according to its intent and for its purpose; ... not with an **improper intent** and for an alien purpose... “good faith” does not mean acting “for the purposes of **punishing a person for exercising an unchallengeable right**” and “it does not mean arbitrarily and illegally attempting to divest a citizen of an incident of his civil status”.. [27]..Supreme Court observed ... bad faith can include “acts that are so markedly inconsistent with the relevant legislative context that a court cannot reasonably conclude that they were performed in good faith”. [28] Direct evidence of bad faith is not required. It can, .. be inferred from the surrounding circumstances.. [29].. absence of good faith can be deduced and bad faith presumed”.

- IV. **Inaction abuse of process doing indirectly (acting without jurisdiction to violate Judges Act constitutional positive obligations) what cannot be done directly;** inalienable natural constitutional rule of law right to self-defence against online defamation, racial discrimination political career destruction, crimes that include arrest / assault / extortion / obstruction of justice, constitutional rule of law against arbitrary (contrary to Judges Act 60(1) “objects”) application of public power which is bad faith, constitutional rule of law right to an impartial administrative tribunal, constitutional rule of law against absurd statutory interpretation, constitutional rule of law against conflict of interest, criminal revictimization of victim principle of natural justice, “no such thing as absolute discretion” principle of fundamental justice, s7, s9, s10, 15 Charter of Rights, s12 Charter Rights s2(b) Canada Bill of Rights to against cruel treatment, s2(e) Bill of Rights to “bonafide exercise of discretion” principle of fundamental justice,
- Gosselin v. Québec (Attorney General), [2002] 4 SCR 429, 2002 SCC 84...state can properly be held accountable for the claimants' inability to exercise their s. 7 rights... The claimants need not establish that the state can be held causally responsible for ... environment in which their s. 7 rights were threatened, nor do they need to establish that the government's inaction worsened their plight.. “[i]n some contexts it will be proper to characterize **s.15 as providing positive rights**”.... in order to make a fundamental freedom meaningful, a posture of restraint would not be enough, and positive governmental action might be required". [360] ... Most obviously, they stand for the proposition that the Charter's fundamental freedoms can be infringed even absent overt state action. Mere restraint on the part of government from actively interfering with protected freedoms is not always enough to ensure Charter compliance; **sometimes government inaction can effectively constitute such interference**....

- V. **“Knowingly exceeding jurisdiction” by violating mandatory duties / mandatory good faith discretionary duties;** CJC is acting beyond jurisdiction to change Judges Act 65(2)b,c,d;

Douglas v. Canada (Attorney General), 2014 FC 299 (CanLII) [118] ... Parliament cannot have intended that an Inquiry Committee be excused of its obligations to provide procedural fairness, as would be found in a court, on the ground that it is not a court, and simultaneously seek to insulate itself from judicial review on the basis that it is deemed to be a superior court. [119] **Immunizing the Council's decisions from review offends the principle that all holders of public power should be accountable for their exercises of power:** per Stratas JA in Slansky FCA, above, at paras 313-314. As mentioned above, where the issue arising from an impugned decision goes to a breach of procedural fairness, the **decision-making body may be deprived of jurisdiction.** Statutory tribunals cannot be immunized from review of such errors: Crevier v Quebec (Attorney General) (1981), 1981 CanLII 30 (SCC), 127 DLR (3d) 1 at para 20 (SCC) [Crevier]; Shubenacadie Indian Band v Canada (Canadian Human Rights Commission) (re MacNutt) (1997), 1997 CanLII 6370 (FC), 154 DLR (4th) 344(FC)...

Bourbonnais v. Canada (Attorney General), [2006] 4 FCR 170, 2006 FCA 62 (CanLII) [26]At paragraph 30 et seq. of his reasons, Sexton J.A. addresses the “bad faith” exception to judicial immunity, i.e. whether such immunity is not absolute. He recalls the words of Lord Denning in Sirros, at page 785, where the Master of the Rolls stated that the judge was immune from liability to damages **so long as he has acted in good faith and in the sincere conviction that he has acted within his jurisdiction.** Sexton J.A., after reviewing the Canadian authorities on this point and, in particular, the decision of the Supreme Court of Canada in Morier et al. v. Rivard, 1985 CanLII 26 (SCC), [1985] 2 S.C.R. 716, and the decisions of the Quebec Court of Appeal in Royer v. Mignault (1998), 1988 CanLII 445 (QC CA), 50 D.L.R. (4th) 345 (Que. C.A.) leave to appeal to the Supreme Court refused, [1988] 1 S.C.R. xiii, and Proulx v. Quebec (Attorney General) (1997), 1997 CanLII 10286 (QC CA), 145 D.L.R. (4th) 394 (Que. C.A.), in which the Court of Appeal adopted the bad faith exception formulated by Lord Denning in Sirros, concluded as follows at paragraph 41: While it cannot be said that the Supreme Court of Canada has definitively decided the point, I am inclined to accept the proposition that Lord Denning’s exception to judicial immunity is good law in Canada: that is, judicial immunity does not apply where it is shown that a judge knowingly acts beyond his jurisdiction... [28]In the case at bar, the appellant does not contend that he is entitled to judicial immunity in regard to the criminal prosecution that has been brought against him. In my opinion, there would be no merit whatsoever to any such claim. As Lord Denning stated in Sirros, at page 782: “Of course, if the judge has accepted bribes **or been in the least degree corrupt, or has perverted the course of justice, he can be punished in the criminal courts.**” ... [30] In the same vein are the remarks by Abimbola A. Olowofoyeku in Suing Judges: A Study of Judicial Immunity (Oxford: Clarendon Press, 1993), at pages 76-77: It is clear from some of the cases discussed above, however, that the **immunity of judges from criminal liability is not total.** In this respect the law of England is the same as that of the USA. Excepting the general principles of immunity discussed above, **any judicial officer who violates the criminal law would be as liable therefore as any other private person.** According to Woodhouse J. of the New Zealand Court of Appeal, “a judge can, of course, be made to answer, and in a proper case, pay dearly, for any criminal misconduct. Like any other citizen criminal proceedings may be brought against him.” **This is because “criminal conduct is not part of the necessary functions performed by public official”.** Thus a judge who commits theft, assault, or murder, for example, should not, and would not be able to, claim judicial immunity, since these would have nothing to do with his office as a judge. However, **even in cases where the offence is connected with a judicial function, e.g. receiving bribes or committing some other fraudulent or corrupt act, immunity will still not be available.** Although conviction of judges for such crimes is virtually unheard of in England, there are dicta. But cases of such liability abound in the USA. **The defence of judicial immunity from indictment was rightly rejected** in both Braatelein v. United States and United States v. Hastings (above). The law on immunity from criminal liability was aptly summed up by White J. of the US Supreme Court in O’Shea v. Littleton, We have never held that the performance of the duties of judicial . . . officers requires or contemplates the immuni-zation of otherwise criminal deprivations of constitutional rights . . . on the contrary the judicially fashioned doctrine of official immunity **does not reach so far as to immunize criminal conduct proscribed by an Act of Congress.**

Gonzalez v. Ministry of Attorney General, 2009 BCSC 639 (CanLII) [35] After concluding that the commissioners enjoyed the same immunities as a superior court judge, a majority of the Supreme Court of Canada addressed the absolute character of superior court judges’ immunity. They rejected the Court of Appeal’s conclusion that judicial immunity was not absolute and depended upon whether the judge acted within or outside his jurisdiction. After reviewing the English authorities, credited as the source of the law in respect of superior

court judicial immunity, Chouinard J., writing for the Majority, says that judicial immunity is absolute **except possibly when, “a judge who in bad faith did something he knew he did not have the jurisdiction to do,** or ... a judge who was not acting in the course of his judicial duties knowing that he had no jurisdiction to act” (at para. 108). [40] Mr. Taylor appealed this decision and the Appeal Division of the Federal Court upheld the decision of the Trial Division. In the course of its judgment, Sexton J.A., writing for the court, concluded that the so called **“bad faith” exception to the principle of absolute judicial immunity was good law in Canada.** In coming to this conclusion, Sexton J.A. relied on judgments from the Quebec Court of Appeal subsequent to Morier where this exception was confirmed to exist: See, Taylor at paras. 37- 39. However, at paras. 60 and 63, Sexton J.A. characterized this exception as very narrow: ... [42] Of significant relevance to the case at hand, the Appeal Division rejected Mr. Taylor’s argument that, based on McLachlin J’s (as she then was) judgment in MacKeigan, judges are subject to review pursuant to human rights legislation regardless of judicial immunity. In MacKeigan the Supreme Court concluded that the **power of the courts to control their own administration was not absolute and could be subject to laws enacted by provincial legislatures or by Parliament.** Further, it was held that such laws could authorize inquiries into the conduct of judges by bodies “which possess sufficient safeguards to protect the integrity of the principle of judicial independence.” See, MacKeigan at pp. 832-834.

Taylor v. Canada (Attorney General), [2000] 3 FCR 298, 2000 CanLII 17120 (FCA) [60]Finally, in my view, the exception to absolute immunity established in Sirros v. Moore is an extremely narrow one. It will be the **rare case indeed where a plaintiff can show that a judge acted with the knowledge that he or she had no jurisdiction.** The example cited by Lord Bridge in McC v. Mullan demonstrates both the need for an exception to the judicial immunity principle, as well as the limited nature of the exception. [61]Nelles also demonstrates just how narrow the exception to judicial immunity is. In Nelles, Lamer J. narrowly circumscribed the malicious prosecution exception to prosecutorial immunity. He held that malicious prosecution was not concerned with instances of mere "second-guessing a Crown Attorney's judgment in the prosecution of a case."68 Rather, he held that malicious prosecution dealt with "allegations of misuse and abuse of the criminal process and of the office of the Crown Attorney":69 something that Lamer J. described as "the **deliberate and malicious use of the office for ends that are improper and inconsistent with the traditional prosecutorial function.**"70 [62]Lamer J. held that in the context of a claim for malicious prosecution, "a plaintiff . . . has no easy task."71 He held that "the burden on the plaintiff is onerous and strict."72 He added that a claim for malicious prosecution required a plaintiff to demonstrate "improper motive or purpose,"73 and that "errors in the exercise of discretion and judgment are not actionable."74 In that sense, Nelles is consistent with the proposition that the **"bad faith" exception to judicial immunity** cannot be engaged merely where a judge errs in the exercise of his or her discretion, as happened in the present case. [63]In light of the constitutional importance of judicial immunity, I conclude that any **"bad faith" exception to judicial immunity that exists** is just as narrow, if not more so, than the exception to prosecutorial immunity addressed in Nelles .

Verge Insurance Brokers Limited et al. v Richard Sherk et al., 2015 ONSC 4044 (CanLII)

[61] “[T]he **inherent jurisdiction of the Court of Queen’s Bench is not such as to empower a judge of that Court to make an order negating the unambiguous expression of the legislative will**”: see *Baxter Student Housing Ltd. et al. v. College Housing Co-operative Ltd. et al.*, 1975 CanLII 164 (SCC).. [62] **“Inherent jurisdiction cannot, of course, be exercised so as to conflict with a statute or Rule**”: see *Montreal Trust Company et al. v. Churchill Forest Industries (Manitoba) Limited*, [1971] 4 W.W.R. 542 at p. 547, cited with approval in *Baxter Student Housing Ltd. et al. v. College Housing Co-op.*...

[63] “In spite of the expansive nature of this power, **inherent jurisdiction does not operate where Parliament or the legislature has acted**”: see *Stelco Inc. (Re)*, *supra*, at para. 35.

[64] Inherent jurisdiction is “not limitless; if the legislative body has not left a functional gap or vacuum, then **inherent jurisdiction should not be brought into play**”: see *Royal Oak Mines Inc. (Re)*, 1999...

[65] “[W]here the usefulness of the powers under the Rule ends, the usefulness of the powers of inherent jurisdiction begins . . . they are wider and more extensive powers . . . filling any gaps left by the Rules . . . [66] Furthermore, s. 146 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43 **restricts the scope of inherent jurisdiction to situations where there is an “absence of express provision for procedures”**

146. Where procedures not provided – Jurisdiction conferred on a court, a **judge** or a **justice of the peace** shall, **in the absence of express provision for procedures for its exercise in any Act**, regulation or rule, be exercised in any **manner consistent with the due administration of justice**.

But an act done in complete absence of all jurisdiction cannot be a judicial act. It is no more than the **act of a private citizen, pretending to have judicial power** which does not exist at all. In such circumstances, to grant absolute judicial immunity is contrary to the **public policy expectation that there shall be a Rule of Law**. Piper v. Pearson, id., 2 Gray 120.

"**No judicial process**, whatever form it may assume, can have any lawful authority outside of the limits of the jurisdiction of the court or judge by whom it is issued; and **an attempt to enforce it beyond these boundaries is nothing less than lawless violence**." Ableman v. Booth, 21 Howard 506 (1859).

"**Where there is no jurisdiction, there can be no discretion**, for discretion is incident to jurisdiction." Piper v. Pearson, 2 Gray 120, cited in Bradley v. Fisher, 13 Wall. 335, 20 L.Ed. 646 (1872)

When a judge knows that he lacks jurisdiction, or acts in the face of **clearly valid statutes expressly depriving him of jurisdiction**, judicial immunity is lost. Rankin v. Howard, (1980) 633 F.2d 844, cert den. Zeller v. Rankin, 101 S.Ct. 2020, 451 U.S. 939, 68 L.Ed 2d 326.

VI. Refusing 60(2c), 63(2), 63(4), 65(5)(6) Judges Act jurisdiction; Remedy for errors in law is an

appeal, beyond all reasonable doubt deliberate falsehoods with mens rae to defraud property / service OR pervert / obstruct / defeat justice is not an error in law, it is a criminal offence.

Criminal law is the s91 Constitution Act exclusive jurisdiction of the Parliament of Canada, therefore CJC cannot indirectly give judges criminal code immunity, what it cannot do directly.

Further judges deliberately made false statements in bad faith and acted without jurisdiction to remove statutory appeal rights through out of court (registrar) misconduct, therefore judicial criminal code immunity which does not exist, cannot exist for out of court judicial misconduct.

VII. 63(2), 61(3c) Judges Act s4.2 s5 CJC Procedures power is unconstitutionally overbroad;

Allard v. Canada, 2016-02-24, 2016 FC 236, T-2030-13...principles of fundamental justice...overbreadth... gross disproportionality ...a law that takes away rights in a way that generally supports the object of the law, **goes too far by denying the rights of some individuals in a way that bears no relation to the object**...grossly disproportionate effect on one person is sufficient to violate the norm... effect actually undermines the objective" "It is unnecessary to conduct an analysis on gross disproportionality after considering arbitrariness and overbreadth".

JTI-Macdonald Corp. v. AGBC, 2000 BCSC 312 (CanLII).....THE RULE OF LAW [117] The rule of law is an unwritten component of the Canadian Constitution and without need for specific provision; it is taken to be "... a fundamental principle of the Canadian constitutional order." ...[118] That **unwritten constitutional principles form part of the fabric of the Canadian Constitution is clear**. As expressed by Chief Justice Lamer, the provisions of the preamble to the [Constitution Act, 1867](#)

provide "organizing principles" that may be used to "fill out gaps in the express terms of the constitutional scheme...[119] [Section 52\(2\)](#) of the [Constitution Act, 1982](#) does not purport to provide an exhaustive list of instruments defining the ambit of the Canadian constitution. [120] Section 26 of the Charter of Rights and Freedoms expressly excludes the fact of express [Charter](#) rights "... denying the existence of any other rights or freedoms that exist in Canada".....[136]... words of the [Act](#) have not conveyed with the "irresistible clearness" required the intention of the legislature to override the application of the **principle of the rule of law**.... The principle of the sovereignty of Parliament requires judicial obedience to the strict terms of the statute. **In the process of applying a statute, however, uncertainties concerning its scope or effect** in particular circumstances are bound to arise. The rule of law requires that these uncertainties be resolved, so far as possible, in a manner which would most conform to the **reasonable understanding** of the subject to whom the statute is primarily addressed. Implicit in this understanding is the expectation that **Parliament will conform to the generally accepted notions of fairness and justice** -- that punishment will not be authorized for acts which were not known to be unlawful when committed, **that vested rights will not be destroyed without reasonable compensation**, that the powers of officials are to be limited by proper respect for the liberty of the citizen. "If the words are not conclusive in themselves, the reasonableness or otherwise of the construction contended for has always been recognized as a **matter fairly** to be taken in account"...147] ... **one law for all" concept based on the rule of law providing the law be supreme over** both the acts of government and **private persons**: The observation of the Supreme Court (para.78) that the rule of the law and the constitution are not in conflict is a compelling statement... 228]...The process of interpreting a statutory provision that is susceptible of more than one meaning was traditionally governed by the basic precept that the Court's function is to **discover the intention of the legislature**. In a case in which the ordinary rules of construction yield two equally plausible meanings, policy considerations are a factor in resolving the conflict. In constitutional cases before the [Charter](#) this was reflected in the practice of interpreting statutes by applying a presumption that **a legislative body does not intend to exceed its powers under the Constitution**.

3. Excerpts from letters to the Supreme Court which was copied to the CJC Executive Director AND

the following complaints documentary evidence will be used at the hearing of the application:

1. April 9, 2018 Supreme Court of Canada Justices Wagner C.J. and Abella, Moldaver, Karakatsanis, Gascon, Côté, Brown, Rowe and Martin JJ.
2. March 20, 2018 Ontario Superior Court Justice Morawetz
3. February 15, 2018 Ontario Court of Appeal Chief Justice Strathy,
4. November 19, 2017 Ontario Court of Appeal Chief Justice Strathy, Ontario Superior Court Chief Justice Heather Forster Smith
5. November 13, 2017 Supreme Court Justices The Right Honourable McLachlin, Beverley; Abella, Rosalie Silberman; Moldaver, Michael J.; Karakatsanis, Andromache; Wagner, Richard; Gascon, Clément; Côté, Suzanne; Brown, Russell; Rowe, Malcolm
6. November 7, 2017, Alberta Court Of Appeal Justices Peter Martin, Thomas W. Wakeling, Sheila Greckol
7. October 20, 2017, Quebec Court Of Appeal, Yves-Marie Morissette JA, Patrick Healy JA, Simon Ruel JA,
8. October 12, 2017, Quebec Court Of Appeal, Yves-Marie Morissette JA, Patrick Healy JA, Simon Ruel JA,
9. October 2, 2017, Quebec Court Of Appeal Chief Justice Nicole Duval Hesler
10. September 21, 2017, Quebec Court Of Appeal Justice Allan Hilton
11. September 11, 2017, Quebec Court of Appeal Justice Claudine Roy
12. August 3, 2017, BC Court of Appeal Justices Harris, Willcock, Dickson
13. July 13, 2017 Toronto Superior Court Justice Clark
14. June 19, 2017, BC Supreme Court, Austin F Cullen, Associate Chief Justice
15. June 19, 2017, Alberta Court Of Queens Bench Justice M.D. Gates

16. June 12, 2017, Ontario Court of Appeal Chief Justice George Strathy
17. June 12, 2017, Quebec Superior Court Justice Martin Bedard
18. May 31, 2017, Toronto Superior Court Justice Malloy J
19. May 25, 2017, Ontario Court of Appeal Justice Weiler
20. May 19, 2017, Quebec Superior Court Justice Dominique Goulet
21. May 18, 2017, BC Supreme Court Justice Bowden
22. May 15, 2017 Gatineau Quebec Superior Court Justice Carole Therrien
23. May 5, 2017 Supreme Court Justices The Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada, Abella, Moldaver, Karakatsanis, Wagner, Gascon, Cote, Brown and Rowe JJ
24. April 22, 2017 Federal Court of Appeal Justice David Stratas
25. April 18, 2017 Hon David D. Smith, Chief Justice New Brunswick Court Of Queen's Bench
26. April 18, 2017 Hon J. Ernest Drapeau Chief Justice of New Brunswick
27. March 24, 2017 Ontario Court of Appeal Chief Judge Honourable George Strathy
28. March 21, 2017 Peterborough Superior Court Judge Salmers J
29. March 3, 2017 Ottawa Superior Court Judge Charles Hackland
30. March 1, 2017 Hon J. Ernest Drapeau Chief Justice of New Brunswick
31. March 1, 2017 Hon David D. Smith, Chief Justice New Brunswick Court Of Queen's Bench
32. January 30, 2017 Canada Federal Court of Appeal Chief Judge Honourable Marc Noel
33. January 30, 2017 Ontario Court of Appeal Chief Judge Honourable George Strathy
34. January 13, 2017 Canada Supreme Court Chief Judge Honourable Beverley McLachlin
35. January 8, 2017 Ontario Superior Court Chief Judge Heather Forster Smith,
36. December 15, 2016 Toronto Ontario Court of Appeal Judges Cronk, Juriansz, Van Rensburg
37. December 27, 2016 Ottawa Superior Court Judge Charles Hackland
38. December 15, 2016 Ottawa Federal Court Of Appeal Judge Johane Trudel
39. November 30, 2016 Toronto Superior Court Judge Pollack
40. November 21, 2016 Ottawa Federal Court of Appeal Judge Stratas
41. November 18, 2016 Ottawa Federal Court of Appeal Judge Stratas
42. November 4, 2016 Ottawa Federal Court of Appeal Judge Gleason
43. November 4, 2016 Ottawa Federal Court of Appeal Judge Locke
44. October 27, 2016 Canada Supreme Court Chief Judge Honourable Beverley McLachlin
45. October 24, 2016 Ottawa Federal Court Of Appeal Judge Pelletier
46. October 18, 2016 Toronto Superior Court Judge Dunphy
47. October 12, 2016 Toronto Superior Court Judge Wilson
48. October 4, 2016 Ottawa Federal Court Judge Luc Martineau
49. September 19, 2016 Ottawa Federal Court Judge Anne Mactavish
50. September 19, 2016 Ottawa Federal Court Chief Judge Paul Crampton
51. September 19, 2016 Ottawa Federal Court Of Appeal Chief Judge Marc Noel
52. September 14, 2016 Ottawa Federal Court Judge Sean Harrington
53. September 13, 2016 Ottawa Federal Court Judge Mireille Tabib
54. August 22, 2016 Ottawa Superior Court Judge Charles Hackland
55. February 20, 2016 Ottawa Superior Court Judge Charles Hackland
56. January 22, 2016 Ottawa Federal Court Of Appeal Judge Johane Trudel
57. January 15, 2016 (supplementary) Ottawa Superior Court Judge Charles Hackland
58. January 15, 2016 Ottawa Superior Court Judge Charles Hackland
59. January 7, 2016 Ottawa Superior Court Judge Charles Hackland
60. January 6, 2016 Ottawa Federal Court Judge Luc Martineau
61. January 1, 2016 Ottawa Federal Court Of Appeal Judge Michael Ryer
62. January 1, 2016 Ottawa Federal Court Of Appeal Judge Nadon
63. December 24, 2015 Ottawa Superior Court Judge Charles Hackland
64. December 12, 2015 Ottawa Federal Court Of Appeal Judge Johane Trudel
65. December 17, 2015 Ottawa Superior Court Judge Charles Hackland

To: Supreme Court of Canada, Registrar, Roger Bilodeau
Tel 613-995-4330 Fax 613-996-9138, 301 Wellington Street, Ottawa, Ontario, K1A 0J1,

CC: Michael Ferguson, Auditor General of Canada, Telephone 1-888-761-5953 Fax 613-957-0474, Office of the Auditor General of Canada, 240 Sparks Street, Ottawa, Ontario K1A 0G6 Canada c/o Legal Counsel, Office of the Auditor General of Canada erin.kelly@oag-bvg.gc.ca Tel: 613-952-0213 (6421)

CC: Joe Friday, Public Sector Integrity Commissioner of Canada, 60 Queen Street, Ottawa, Ontario K1P 5Y7, Telephone: 1-866-941-6400, Fax: 613-946-2151

IN THE SUPREME COURT OF CANADA (ON APPEAL FROM)

Federal Court Of Appeal File A53-15
Federal Court Of Appeal File 16-A-20
Federal Court Of Appeal File 16-A-38,
Federal Court Of Appeal File A294-16,
Federal Court Of Appeal File A367-16,
Federal Court Of Appeal File A164-16,
Federal Court Of Appeal File A201-16,
Federal Court Of Appeal File A313-16,
Federal Court Of Appeal File T1534-16,
Federal Court Of Appeal File T1640-16,
Ontario Court of Appeal File C61130,
Ontario Court of Appeal File C61636,
Ontario Court of Appeal M47086, M47151,
Quebec Court Of Appeal 500-09-026878-173
Criminal Ontario Superior Court Files 16-30442, 16-30443, 16-30444, 16-30445
Criminal Ontario Superior Court File 16-30604,
Criminal Ontario Superior Court File CR-17-00000001-00M0,
Criminal Ontario Superior Court File 17-MOT-1-93,
Criminal Ontario Superior Court File 17-MOT-1-93,
Criminal New Brunswick Court of Queen's Bench
Criminal BC Supreme Court File 27229-1
Criminal Quebec Superior Court 550-36-000021-178
Criminal Alberta Court Of Queen's Bench File 170510184X1

**BETWEEN:
RESPONDENTS;**

ADE OLUMIDE

APPLICANT

CANADIAN JUDICIAL COUNCIL and
SUPREME COURT OF CANADA and
FEDERAL COURT OF APPEAL and
FEDERAL COURT OF CANADA, and
ATTORNEY GENERAL OF CANADA and
CONSERVATIVE FUND OF CANADA and
CONSERVATIVE PARTY OF CANADA and
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO and
ATTORNEY GENERAL OF NEW BRUNSWICK and
DIRECTOR OF THE PUBLIC PROSECUTIONS OF CANADA and
ATTORNEY GENERAL OF BRITISH COLUMBIA and
HER MAJESTY THE QUEEN (ATTORNEY GENERAL OF CANADA) and
ATTORNEY GENERAL OF QUEBEC and

CONSEIL DE LA MAGISTRATURE and
ATTORNEY GENERAL OF ALBERTA

FROM APPELLANT: Ade Olumide, , Dunrobin, ON, KOA 1T0
Tel: 613 265 6360 Fax: 613 832 2051, ade6035@gmail.com ...

TO RESPONDENTS: Canadian Judicial Council, Chair [The Right Honourable Beverley McLachlin](#) c/o Norman Sabourin, Executive Director and Senior General Counsel, 112 Kent Street, Ottawa, Ontario, K1A 0W8, tel. (613) 288-1566; fax (613) 288-1575,

Federal Court, c/o The Honourable Paul Crampton, Federal Court Chief Justice, Tel 613-992-4238, Fax: 613-952-3653, 90 Sparks Street, Ottawa, ON, K1A 0H9 , c/o Nadia Effendi, T 416.367.6728, neffendi@blg.com, Borden Ladner Gervais LLP, Scotia Plaza, 40 King St W, Toronto, ON, Canada M5H 3Y4, 416.367.6000, F 416.367.6749

William F. Pentney, Q.C. Deputy Attorney General of Canada, c/o Joanna.Hill@justice.gc.ca c/o Daniel Caron, Department of Justice, 50 O'Connor Street, 5th Floor Ottawa, Ontario K1A 0H8 Tel: 613 670 8515 Fax 613 954 1920, Daniel.Caron@justice.gc.ca

Counsel for Conservative Fund Canada, Conservative Party of Canada c/o Paul D'Angelo, Partner, Perley-Robertson, Hill & McDougall LLP/s.r.l., 1400 - 340 rue Albert Street, Ottawa, ON K1R 0A5, Tel: 613-566-2808 Fax: 613-238-8775, Email: pdangelo@perlaw.ca

Her Majesty The Queen In Right Of The Province Of Ontario (The "Crown") Ontario Deputy Attorney General, c/o Domenico Polla, Counsel, Ministry of the Attorney General of Ontario, 720 Bay St 8th Floor, Toronto, ON M7A 2S9, T:(416) 326-2984, F: (416) 326-4181, domenico.polla@ontario.ca

Supreme Court of Canada, c/o The Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada, Office of the Registrar: Tel 613-995-4330 Fax: 613-996-9138, 301 Wellington Street, Ottawa, Ontario, K1A 0J1, Anna Turinov, Legal Counsel, Law Branch, Supreme Court of Canada, Anna.Turinov@SCC-CSC.CA, Tel. | Tél.: 613-996-8026 / Fax | Téléc.: 613-943-1570

Federal Court of Appeal, c/o The Honourable Marc Noel, Federal Court of Appeal Chief Justice, Tel 613-996-6795, Fax: 613 952 7226, 90 Sparks Street, Ottawa, ON, K1A 0H9 c/o Nadia Effendi, T 416.367.6728, neffendi@blg.com, Borden Ladner Gervais LLP, Scotia Plaza, 40 King St W, Toronto, ON, Canada M5H 3Y4, 416.367.6000, F 416.367.6749

Attorney General of New Brunswick, Tel 506 856 2310, Fax 506 856 2625, Moncton Law Court, 145 Assumption Boulevard, Moncton, New Brunswick, E1C 0R2, c/o Nancy E Forbes, Q.C. Assistant Deputy AG, Office of Attorney General, Tel: 506 453 2222 Fax: 506 453 3275, nancy.forbes@gnb.ca, Luc Labonté, Assistant Deputy AG, Public Prosecutions (Branch), Tel: (506) 453-2784 Fax: (506) 453-5364, Luc.Labonte@gnb.ca, HSBC Place, P. O. Box 6000 Fredericton, NB E3B 5H1 Canada

Public Prosecution Service of Canada, Kathleen Roussel- Deputy Director of Public Prosecutions, 160 Elgin Street – 12th Floor Ottawa, Ontario K1A 0H8, Tel 613-957-6489 Tel: (613) 957-4770 Fax: (613) 941-7865 c/o François Lacasse Tel: 613-957-4770 Fax: 613-941-7865 Email: flacasse@ppsc-sppc.gc.ca

Attorney General of Canada, Atlantic Regional Office, Department of Justice Canada, Suite 1400, Duke Tower, 5251 Duke Street, Halifax, Nova Scotia, B3J 1P3, Tel: 902-426-3260, Fax: 902-426-7913,

Tokunbo Omisade, Tokunbo.Omisade@justice.gc.ca Counsel, Department S Justice Canada, Atlantic Regional Office, Suite 1400, Duke Tower, 5251 Duke Street, Halifax, Nova Scotia, B3J 1P3, Tel : 902 426 8644 Fax : 902 426 8796

Attorney General of British Columbia, c/o Richard Fyfe, QC, Deputy Attorney General, c/o Lesley Ruzicka, Crown Law Division, 3rd Floor, 940 Blanshard Street, Victoria, BC, V8W 3E6, Phone 250 387 5153 Fax 250 387 4262, lesley.ruzicka@gov.bc.ca; cld-psu.victoria@gov.bc.ca

Attorney General of Quebec c/o Sandra Bonanno Director, Procureure aux poursuites criminelles et penales 17 rue Laurier, #1.230, Gatineau, J8X 4C1 Tel 819-776-8111 x60412 Telec: 819 772 3986 sandra.bonanno@dpcp.gouv.qc.ca

Conseil De La Magistrature domiciled and residing at Secretary Conseil de la magistrature, Palais de justice, 300, boulevard Jean-Lesage, bureau RC.01, Québec (Québec) G1K 8K6, information@cm.gouv.qc.ca, Tel 418 644-2196, Fax 418 528-1581, c/o Pierre Laurin, Lawyer Tremblay Bois Mignault Lemay LLP, 1195 av. Lavigerie, suite 200, Québec, QC G1V 4N3, Tel 418 658-9966 Fax 418 656-6766, plaurin@tremblaybois.qc.ca

David A Labrenz, Q.C. Appellate Counsel, Appeals Unit, Crown Prosecutor Criminal, 600 Centrium Place, 332 - 6 Avenue SW, Calgary, AB T2P 0B2, Telephone: 403-297-8444 Fax: 403-297-4311, JSG-ACPS.CalgaryProsecutions@gov.ab.ca, calgaryprosecutions@gov.ab.ca

Her Majesty The Queen In Right Of The Province Of Ontario (The “Crown”), Attorney General of Ontario, Ministry of the Attorney General, Crown Law Office Criminal, 10th Floor, 720 Bay St., Toronto, ON M7A 2S9, Phone: 416-326-4600, Fax: 416-326-4656 robert.s.thomson@ontario.ca

Her Majesty The Queen In Right Of Ontario (The “Crown”), Attorney General, Ministry of Attorney General, Crown Law Office Criminal, 10th Floor, 720 Bay St., Toronto, ON M7A 2S9, Phone: 416-326-4600, Fax: 416-326-4656 frank.schwalm@ontario.ca

Her Majesty The Queen In Right Of Ontario (The “Crown”), Attorney General, Ministry of Attorney General, Crown Law Office Criminal, 10th Floor, 720 Bay St., Toronto, ON M7A 2S9, Phone: 416-326-4600, Fax: 416-326-4656 c/o Crown Counsel, Karen Papadopoulos, T: 416.326.4595 F: 416.326.4656, karen.Papadopoulos@ontario.ca

Her Majesty The Queen In Right Of Ontario (The “Crown”), Attorney General, Ministry of Attorney General, Crown Law Office Criminal, 10th Floor, 720 Bay St., Toronto, ON M7A 2S9, Tel 416-326-4600, Fax 416-326-4656 c/o Wendy Sabean, Assistant Crown Attorney, Crown Law Office – Criminal, T: 416.326.4595 F: 416.326.4656, Wendy.Sabean@ontario.ca

April 25, 2018

I received last week your C61636 letter dated April 12, 2018. You state that “ ... a judgement was issued by the Court of Appeal for Ontario on January 29, 2018... that judgement is final and could be appealed to this Court”. I have repeatedly advised you to stop lying because you have to lie to cover up previous lies, you refused to take my advise, please explain YOUR blatant contradictions;

1) **Registrar Decisions**; In Quebec Court Of Appeal 500-09-026878-173, Criminal New Brunswick Court of Queen’s Bench, judges defrauding statutory rights of appeal refused to write decision, but

instructed registrars to issue final written decisions defrauding statutory rights to court (judges), despite appeal of verbal decree of judges to registrars you lied then that the Supreme Court lacks jurisdiction, so how can the Supreme Court lack jurisdiction over registrars then, but have jurisdiction over January 29, 2018 written decision of Sandra Theorulde, Deputy Registrar (Ontario Government employee) ? Either you are lying then or you are lying now, which is it?

2) **Verbal Decrees;** In T1534-16 (verbal) and T1640-16 (written) you lied that the Supreme Court lacks jurisdiction over final verbal decrees / written decisions of Federal Court of Appeal judges, you know you have s40 Supreme Courts Act jurisdiction over any substantial right of parties final or interlocutory verbal decrees or written decisions of judges, but your letter falsely implies the Supreme Court lacks s40 Supreme Courts Act jurisdiction over Chief Justice George Strathy January 31, 2018 final verbal decree but how can a registrar, who is not a member of the Court, make a final decision for the Court, without the input of the court (a judge)?

3) **Interlocutory Decisions;** In Federal Court of Appeal files 16-A-20, 16-A-38, A294-16, A367-16, A164-16, A201-16, A313-16, you lied that the Supreme Court lacks s40 Supreme Courts Act jurisdiction over single judge final written stay judgements in these files, because they are not final judgments by a panel of the court. There is a Courts Justice Act statutory right to appeal the decision of a registrar to a judge, and a judge to a panel, therefore how can then the stay decision of a single registrar who is not a member of the court be final? Do you have English language deficiencies, how can you have jurisdiction over a single registrar but no jurisdiction over a single judge?

Upon receipt of your reply to these 3 questions, I will respond to tell you whether I am appealing the January 31, 2018 final verbal decree of Chief Justice George Strathy OR interlocutory January 29, 2018 written decision of Deputy Registrar Sandra Theorulde?

Please also be guided by the following open issues that include the refusal to file new evidence reconsideration motions civil proceedings constitutional question / \$600 jurisdiction explanation issue, please address these issues in your response;

Excerpts of April 3 Letter Sent To Panel That Includes Chief Justice Richard Wagner

Dear Panel, I would like to respectfully advise you that Roger Bilodeau, Supreme Court Registrar entered into a contract with me, upon making the \$600 offer condition for an explanation of Supreme Court Registrar no jurisdiction falsehood, he could have refused to process the applications for leave to appeal, instead he accepted my offer by cashing the cheque, therefore I refused to pay for 37884 application for leave to appeal until he fulfilled the contract, I was therefore shocked to receive a phone call stating that he has asked staff to forward 37884 to a panel. I hereby ask that you not here the purported application, return the file to Roger Bilodeau, and ask him to fulfill the \$600 explanation of no jurisdiction, then I will pay the \$75 and 37884 can be submitted to a panel. **With respect any judge by action or inaction, that allows Roger Bilodeau to evade his contractual obligations, will be responsible for ALL Roger Bilodeau's criminal code and constitutional offences described below;**

Please see enclosed March 22 letter to the Supreme Court.

Please see enclosed United Nations Human Rights Complaint;

<https://adeolumideonline.files.wordpress.com/2018/03/unitednationshumanrightscomplaint.pdf>

Please ask Mr Bilodeau to provide to you the following correspondence (if you decide to commit a crime, it is assumed that you have personally read all enclosed letters to the Supreme Court);

Ade Olumide Ade <ade6035@gmail.com> Thu, Mar 22, 2018 at 2:32 PM
please see attached message from Honourable Jody Wilson-Raybould To Right Honourable Richard Wagner

On Thu, Feb 15, 2018 at 3:11 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:

On Tue, Feb 13, 2018 at 1:29 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed attachments

On Mon, Feb 5, 2018 at 9:04 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed attachments

On Mon, Jan 22, 2018 at 10:51 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed letter to the Supreme Court Chief Justice and a United Nations Complaint

On Sat, Jan 13, 2018 at 11:25 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed criminal proceedings letter to the Supreme Court Chief Justice and Auditor General of Canada

On Sat, Jan 6, 2018 at 11:43 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed letter to the Supreme Court Chief Justice and Auditor General of Canada

On Sat, Dec 16, 2017 at 10:22 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed mandamus motion record constitutional question to chief justice

On Wed, Dec 13, 2017 at 9:12 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed December 12th letter to the Supreme Court

On Wed, Dec 6, 2017 at 2:57 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed response to November 29 letter from Office of Auditor General Canada

On Mon, Dec 4, 2017 at 7:24 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:

please see enclosed December 4 letter and Criminal Proceedings Amended Constitutional Question to the Supreme Court Registrar

please see enclosed December 4 letter and Civil Proceedings Amended Constitutional Question to the Supreme Court Registrar

On Wed, Nov 29, 2017 at 5:36 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed November 29 letter and Criminal Proceedings Constitutional Question to the Supreme Court Registrar

On Mon, Nov 13, 2017 at 11:04 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed November 13 letter and Constitutional Question to the Supreme Court

On Fri, Nov 10, 2017 at 10:14 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed November 10 letter and Constitutional Question to the Supreme Court

On Sun, Nov 5, 2017 at 3:49 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:

please see enclosed November 4 letter and Constitutional Question to the Supreme Court

On Mon, Oct 30, 2017 at 12:08 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed October 30th letter to the Supreme Court

On Fri, Oct 20, 2017 at 8:58 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed October 20th letter to the Supreme Court

On Wed, Oct 4, 2017 at 8:31 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed October 4th letter to the Supreme Court

On Mon, Aug 28, 2017 at 10:26 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:

please see enclosed August 28th letter to the Supreme Court

On Mon, Aug 21, 2017 at 4:44 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed 8th letter to the Supreme Court

On Tue, Aug 8, 2017 at 12:25 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed 7th letter to the Supreme Court

On Thu, Aug 3, 2017 at 1:06 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed 6th letter to the Supreme Court

On Wed, Jul 26, 2017 at 10:39 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed 5th letter to the Supreme Court

On Wed, Jul 5, 2017 at 12:18 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed 4th letter to the Supreme Court

On Thu, Jun 22, 2017 at 1:02 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed 3rd letter to the Supreme Court

On Sat, May 20, 2017 at 5:26 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed 2nd letter

On Wed, May 17, 2017 at 6:15 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
please see enclosed letter

Excerpts of March 22 Letter To Chief Justice Richard Wagner

I sent your Honour a **civil proceedings constitutional question motion record** on December 18 AND letters dated January 8, 15, 22, February 13, 15, 2018. The registrar is not a judge, if there is no civil proceedings constitutional question oral hearing date, no fulfillment of s40 Supreme Courts Act jurisdiction \$600 explanation contract with mens rae to also defraud Conseil / Conservative Party civil applications, I have no choice but to prosecute the Supreme Court of Canada for party to tax fraud AND per 2018 BCSC 324 sue the Supreme Court for defrauding;

- a) inalienable natural constitutional rule of law right to self-defence against revictimize the victim of ongoing tax fraud crimes through s22 Criminal Code incitement of new crimes of arrest, assault, extortion, through defamatory online stories that perpetually attack the dignity, honour and reputation of plaintiff, family and descendants, as codified in the UN International Covenant

on Civil and Political Rights (ICCPR) Article 17; Universal Declaration of Human Rights Article 12.; "No one shall be subjected to arbitrary interference with his .. family, .. nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks." s4 Quebec Charter "Every person has a right to the safeguard of his dignity, honour and reputation".

Samaroo v. Canada Revenue Agency, 2018 BCSC 324 [398] ... the courts are not hesitant to make significant awards when someone's **professional reputation is damaged by reprehensible conduct**, as in *Hill v. Church of Scientology of Toronto*, [1995] 2 S.C.R. 1130 [*Hill*]. In *Hill*, the prosecutor who was maliciously defamed by the defendants was awarded \$300,000 general damages; \$500,000 aggravated damages; and \$800,000 punitive damages. [399] Enormous harm can be done by **falsely accusing a person of dishonesty, as it strikes at the very heart and dignity of a person**. Mrs. Arsenovski expressed it well: it hurt her in her heart and soul. [400] In *Hill*, the Court provided a **historical review of the significance of false accusations of dishonesty**, including the following: [107]..Yet, to most people, their **good reputation is to be cherished above all**. A good reputation is closely related to the innate worthiness and dignity of the individual. It is an attribute that must, just as much as freedom of expression, be protected by society's laws. In order to undertake the balancing required by this case, something must be said about the value of reputation. 108] Democracy has always recognized and cherished the fundamental importance of an individual. That importance must, in turn, be based upon the good repute of a person. It is that good repute which enhances an individual's sense of worth and value. False allegations can so very quickly and completely destroy a good reputation. **A reputation tarnished by libel can seldom regain its former lustre**. A democratic society, therefore, has an interest in ensuring that its members can enjoy and protect their good reputation so long as it is merited. See also paras. 109-117. [401] The fact that Mrs. Arsenovski was not a **public figure** or a professional does not mean that her reputation was deserving of less respect or protection. In many ways, she was all the more susceptible to harm than an established professional person, given that she was a **recent migrant** to the country, on social assistance, likely unaware of her rights or how to access justice. [402] Community standards can be gauged in part by the jury award of \$1 million for punitive damages against an insurance company which had **wrongly accused the insured homeowners of burning down their own house**, an award upheld by the Supreme Court of Canada in *Whiten*.

Excerpts of Letter Sent On February 15 To Chief Justice Richard Wagner

On February 14, 2018 I received a letter from Registrar Roger Bilodeau, the letter is dated February 5, 2018, it purports a reply to the December 18 civil proceedings constitutional question motion record appealing his refusal to hear the civil proceedings constitutional question to Your Honour, he sites civil files 36859, 37105, 37246, 37600, 37602, 37603, 37604, 37605, 37660, 37672, 37763, 37761. He relies on Supreme Court Rules 73(4) as described in May 15, 2014, *Vlasta Stubicar v Deputy Prime Minister of Public Safety* 35368 but he provides no case law proving that Rules 73(4) is constitutional.

As you must know the Supreme Court has ruled in SCR 504, 2003 SCC that Roger Bilodeau has the power and jurisdiction to hear the constitutional question, therefore; ALL refusal to file civil proceedings reconsiderations motion records AND refusal to file motion to appeal his oral hearing refusal to hear the civil proceedings constitutional question, ALL refusals to file s784 Criminal Code Notices of Appeal AND refusal to file motion to appeal his oral hearing refusal to hear the criminal proceedings constitutional question, are void abinitio for lack of jurisdiction.

Consequently I await the inevitable oral hearing date for the appeal of the registrar's refusal to hear the civil proceedings constitutional question AND criminal proceedings constitutional

question. With respect failure to comply would trigger another criminal misconduct complaint to the Canadian Judicial Council and a s122 Criminal Code breach of trust criminal prosecution.

Nova Scotia (Workers' Compensation Board) v. Martin; [2003] 2 SCR 504, 2003 SCC 54 (CanLII) The Constitution is the supreme law of Canada and, by virtue of s. 52(1) of the Constitution Act, 1982, the question of constitutional validity inheres in every legislative enactment. From this principle of constitutional supremacy flows, as a practical corollary, the idea that Canadians should be entitled to assert the rights and freedoms that the Constitution guarantees them in the most accessible forum available, without the need for parallel proceedings before the courts. ..

In light of the following excerpts from prior correspondence it is impossible for Roger Bilodeau to conclude that he has jurisdiction to issue another Rule 73(4) February 5 letter, without hearing the initial civil proceedings Rule 73(4) constitutional question. If Registrar Roger Bilodeau is a black african immigrant with english language deficiencies, can you please authorize an interpreter to explain the content of the December 18, January 8, 15, 22, February 13, 2018 correspondence, for example;

Excerpts of Letter Sent On February 13 To Chief Justice Richard Wagner

Your letter dated January 24, 2018 re Ade Olumide v Attorney General of Ontario File FD-01697 is void abinitio because until the February 13 motion to appeal the registrar's ongoing refusal to hear the criminal proceedings constitutional question is heard, the letter is void abinitio.

Your letter dated January 22, 2018 re Ade Olumide v Supreme Court of Canada et al File 37761 is void abinitio because until the December 18 motion to appeal the registrar's ongoing refusal to hear the civil proceedings constitutional question is heard, the letter is void abinitio.

I await my \$600 contract right to receive explanation for no s40 Supreme Courts Act jurisdiction to hear appeal of 6 orders by a Federal Court of Appeal single judge, 2 decisions by a Federal Court of Appeal single judge, as a prerequisite to \$75 application fee for Conseil Quebec Court of Appeal 500-09-026878-173 registrar order, the same no s40 Supreme Courts Act jurisdiction explanation issue will affect t the \$75 application fee for Conservative Party Ontario Court of Appeal C61636 registrar order.

Excerpts of Letter Sent On January 15 To Chief Justice Richard Wagner

The Chief Justice is encouraging discrimination against black politicians, by acting without jurisdiction in proceedings where the Canadian Judicial Council / Supreme Court of Canada is a party and in violation of the rule of law against using public power in bad faith by refusing to hear appeal of the registrar's decision to act without jurisdiction and in bad faith by refusing to hear a constitutional question in order to cover up a falsehood by all 9 Supreme Court justices (The Right Honourable McLachlin, Beverley; Abella, Rosalie Silberman; Moldaver, Michael J.; Karakatsanis, Andromache; Wagner, Richard; Gascon, Clément; Côté, Suzanne; Brown, Russell; Rowe, Malcolm) who issued a no s40 Supreme Courts Act jurisdiction to hear leave appeal motion of 6 final orders, 2 final directions by a single Federal Court of Appeal judge.

There is a pending complaint about this crime before Canadian Judicial Council Chair Richard Wagner, therefore the inaction refusal of Chief Justice Richard Wagner to direct the Registrar to comply with the rule of law by hearing the civil proceedings constitutional question and hearing the criminal proceedings constitutional question, creates a personal benefit of avoidance of CJC reprimand or removal to Chief Justice Richard Wagner. The Supreme Court test for s122 Criminal Code breach of trust is engaged;

R. v. Boulanger, [2006] 2 S.C.R. 49, 2006 SCC The offence of breach of trust by a public officer is established where the Crown proves beyond a reasonable doubt that: (1) the accused is an official; (2) the accused was acting in connection with the duties of his or her office; (3) the accused breached the standard of responsibility and conduct demanded of him or her by the nature of the office; (4) the accused's conduct represented a serious and marked departure from the standards expected of an individual in the accused's position of public trust; and (5) the accused acted with the intention to use his or her public office for a purpose other than the public good, for example, a dishonest, partial, corrupt, or oppressive purpose.

Johnston et al. v. Prince Edward Island, 1995 10509 (NL SCTD)... *City of Kamloops v. Nielsen*, 1984 CanLII 21 (SCC), ...: 'In my view, **inaction for no reason or inaction for an improper reason cannot be ... bona fide exercise of discretion**. Where the question whether the requisite action should be taken has not even been considered by the public authority, or at least has not been considered in good faith...

Supreme Court Registrar

The registrar is acting without jurisdiction in proceedings where the Supreme Court is a party and in violation of the rule of law against using public power in bad faith by refusing to hear a motion on the constitutionality of the rules that he claims gives him public power to refuse constitutional mandatory duty to file civil proceedings new evidence reconsideration motion records in civil files in order to cover up crimes that include a falsehood by the Supreme Court Registrar who wrote no s40 Supreme Courts Act jurisdiction to hear leave appeal application for 6 final orders, 2 final directions by a single Federal Court of Appeal judge against parties that include Canada, Conservative Party, Canadian Judicial Council, Federal Court, Federal Court of Appeal, Supreme Court of Canada.

“On April 6, the registrar wrote; “Section 40 of the Supreme Court Act provides that the Court can hear appeals from “any final or other judgment of the Federal Court of Appeal or of the highest court of final resort in a province, or a judge thereof.” That means that the decision you are appealing from must be a final judgement that cannot be appealed anywhere but in this Court. ... your application may be premature ... If you decide to apply to this Court ... your application will be dismissed because the Court does not have jurisdiction”. He cashed a \$600 cheque based on a contract that he will provide a **written explanation** re s362(1) Criminal Code false statements that s40 Supreme Court is not jurisdiction to hear civil appeals of final decisions by any court of appeal single judge or clerk refusing to schedule an appeal before a panel of judges.

Canada legislated meaning of “40(1)” “appeal” “final judgement” “judgment” “judicial proceeding”, the following irrefutable legal conclusion are based on government legislation that the Registrar and all Supreme Court Justices are familiar with, they chose to make false statements about jurisdiction in order to extort appeal rights with threats of injury from loss of application fees.

- a) Any interlocutory or final judgement by a single judge can be appealed
- b) Any interlocutory or final judgement by a panel of judges can be appealed
- c) All registrar are under a mandatory statutory duty to comply with any Chief Justice verbal or written direction, therefore inaction by any Chief Justice to a request to change the final decision of a registrar to refuse to open a file number, is Chief Justice final judgment that can be appealed
- d) “judgment” that can be appealed is defined in the Supreme Court Act as including other verbal or written decisions which are not orders.
- e) There is nothing in the Supreme Court Act that a decision has to be in writing.
- f) There is nothing in the Supreme Court Act that a decision has to have a file number.
- g) The word “decree” includes implied oral decisions by Chief Justice to a registry officer.

- h) The lack of decision to issue a file number is an implied decision that can be appealed.
- i) The word includes means that as long as it affects “substantive right of any of the parties in controversy”, any verbal or written or implied decision can be appealed”

Supreme Court Act (R.S.C., 1985, C. S-26) Definitions 2 (1) In this Act, appeal includes **any proceeding** to set aside or vary any judgment of the **court appealed from**; (appel) final judgment means any judgment, rule, order **or decision** that determines in whole or in part any **substantive right** of any of the parties in controversy in any judicial proceeding;

judgment, when used with reference to the court appealed from, includes any judgment, rule, order, **decision**, decree, decretal order or sentence thereof, and when used with reference to the Supreme Court, includes any judgment or order of that Court; (jugement)

judicial proceeding includes any action, suit, **cause, matter or other proceeding** in disposing of which the court appealed from has not exercised merely a regulative, administrative or executive jurisdiction;

“Appeals with leave of Supreme Court 40 (1) Subject to subsection (3), an appeal lies to the Supreme Court from any final **or other judgment** of the Federal Court of Appeal or of the highest court of final resort in a province, or a judge thereof, in which judgment can be had in the particular case sought to be appealed to the Supreme Court, whether or not leave to appeal to the Supreme Court has been refused by any other court, where, with respect to the particular case sought to be appealed, the Supreme Court is of the opinion that any question involved therein is, **by reason of its public importance or the importance of any issue of law** or any issue of mixed law and fact involved in that question, one that ought to be decided by the Supreme Court or is, for any other reason, **of such a nature or significance** as to warrant decision by it, and leave to appeal from that judgment is accordingly granted by the Supreme Court.

Supreme Court Registrar also refused s784 Criminal Code, Supreme Court Act and constitutional duty to issue 9 criminal proceedings notices of appeal;

- I. S15, 58(1b), 97(1c) Supreme Court Act 8(2), 19(2), 33(1d) Supreme Court Rules S685 Criminal Code Notice Of Motion And Constitutional Question (Criminal) To Supreme Court Registrar Roger Bilodeau;
- II. Ontario Superior Court (Criminal) File 17-30442, 17-30443, 17-30444, 17-30445 (**Registrar In “Highest Court Of Final Resort In A Province” Acted Without Jurisdiction In Bad Faith To Remove s784 Criminal Code Appeal Re Prosecution of Office of Auditor General of Canada**)
- III. Alberta Court Of Queen’s Bench (Criminal) 170510184X1 (**“Highest Court Of Final Resort In A Province” Exceeded s685 “No Substantial Ground Of Appeal” Jurisdiction In Bad Faith, Abused The Court Process To Remove s24 Charter right to s685 Constitutional Question / s784 Criminal Code Appeal Re Prosecution of Canadian Judicial Council Member AB Court Of Queen’s Bench**)
- IV. Quebec Superior Court (Criminal) 550-36-000021-178 (**“Highest Court Of Final Resort In A Province” Exceeded s685 “No Substantial Ground Of Appeal” Jurisdiction In Bad Faith, Abused The Court Process To Remove s24 Charter right to s685 Constitutional Question / s784 Criminal Code Appeal Re Prosecution of Canadian Judicial Council Member Quebec Superior Court**)

- V. New Brunswick Court of Queen's Bench (Criminal) File (**Registrar** In "Highest Court Of Final Resort In A Province" Acted Without Jurisdiction In Bad Faith To Remove s784 Criminal Code Appeal Re Prosecution of Canadian Judicial Council Member NB Court of Queen's Bench)
- VI. BC Supreme Court (Criminal) File 27229-1 ("Highest Court Of Final Resort In A Province" Exceeded s685 "No Substantial Ground Of Appeal" Jurisdiction In Bad Faith To Remove s784 Appeal Re Prosecution of Canadian Judicial Council Member BC Supreme Court)
- VII. Ontario Superior Court (Criminal) File 17-MOT-1-93 (**Registrar** In "Highest Court Of Final Resort In A Province" Acted Without Jurisdiction In Bad Faith To Remove s784 Criminal Code Appeal Re Prosecution of Office of Public Sector Integrity Commissioner)
- VIII. Ontario Superior Court (Criminal) File CR-17-00000001-00M0 ("Highest Court Of Final Resort In A Province" Acted Without Jurisdiction In Bad Faith To Remove s784 Criminal Code Appeal Re Prosecution of Ontario Court of Appeal)
- IX. Ontario Superior Court (Criminal) File 16-30604, ("Highest Court Of Final Resort In A Province" Acted Without Jurisdiction In Bad Faith To Remove s784 Criminal Code Appeal Re Prosecution of Canadian Judicial Council)

Excerpts Of Letter Sent On January 8 To Chief Justice Richard Wagner

...S15, 97(1C) SUPREME COURT ACT 8(2), 19(2), 73(4), 78(3) SUPREME COURT RULES
CONSTITUTIONAL QUESTION (CIVIL) CONSTITUTIONAL QUESTION HEARING DATE

Mr. Bilodeau, Mr. Ferguson, you know the "emperor has no clothes". I previously advised you, that you are in a hole, so stop digging, you refused to heed good advice, and hatched what you thought was a simple plan to defraud the black african immigrant with alleged "english language deficiencies", in the end, there will be legislative Judges Act changes that will create a separate path for criminal misconduct.

<https://www.urbandictionary.com/define.php?term=The%20emperor%20wears%20no%20clothes>

"The Emperor Wears No Clothes" or "The Emperor Has No Clothes" is often used in political and social contexts for any obvious truth denied by the majority despite the evidence of their eyes, especially when proclaimed by the government. When people say "The emperor wears no clothes", they mean that other people need to stop being .. to a political leader and see things for what they truly are instead of denying the truth of the situation. It takes a person with guts to speak the truth and blast through the .. lies.

The former White House Communications Director Anthony Scaramucci stated that when a fish stinks, it stinks from the head down. The Supreme Court Registrar Roger Bilodeau has breached s22 Criminal Code by counselling Supreme Court registrar Jill Hache to assist him to commit an s341 criminal code offence of requesting money under the false pretence that he would provide an explanation for lying about s40 Supreme Courts Act civil appeals jurisdiction.

Auditor General Michael Ferguson is lying because the "emperor has no clothes". Prime Minister Justin Trudeau's father gave a black immigrant like me Charter rights, why is the son defrauding me of the rights given by his father? Racism sympathizer public servant Supreme Court Registrar Roger Bilodeau is violating s380(1) Criminal Code by refusing to hear enclosed civil proceedings constitutional question in order to defraud transcript evidence that he deliberately lied about s40 Supreme Courts Act jurisdiction in order to cuddle and encourage racists within Conservative "Party Brass".

https://adeolumideonline.files.wordpress.com/2017/12/openletter_-officeauditorgeneralcanada.pdf

Further to enclosed excerpts from December 18 letter, Olumide is **still waiting for the constitutional question oral hearing date** triggered by the registrar's power to refuse filing of a motion record;

S362(1) Criminal Offence By Supreme Court Registrar Roger Bilodeau

Roger Bilodeau cashed a \$600 cheque based on a contract that he will provide a written explanation re s362(1) Criminal Code false statements that s40 Supreme Court is not evidence of jurisdiction to hear civil appeals of final decisions by a any court of appeal single judge or clerk refusing to schedule an appeal before a panel of judges. While I wait for his explanation on the 8 files involved in the \$600 contract, he asked Jill Hache to send a letter dated December 18, 2017 asking for another \$75. I cannot send the requested \$75 until Roger Bilodeau has fulfilled the \$600 written explanations contract.

I am just a black african immigrant, who according to racism sympathizer Superior Court Justice Charles Hackland is deficient in english, so he must fulfill the \$600 contract, I need help to understand s40 Supreme Courts Act english. Racism sympathizer public sector employee Canadian Judicial Council Executive Director Norman Sabourin refused to request creation of the record of investigation by sighting Justice Hackland deficiencies in english quote.

If Roger Bilodeau processes the leave to appeal without the \$75 or refuses to explain Supreme Court lack of jurisdiction to hear application for leave to appeal final judgement of Quebec Court of Appeal Clerk Mr Bertrand Gervais refusing to comply with a statutory duty to schedule before a panel of judges, the appeal correctly opened by Assistant Clerk Mtre Julie Devroede, that would be a new trigger for an s362(1) criminal code prosection.

<https://adeolumideonline.files.wordpress.com/2017/06/canadian-judicial-council-chair-supreme-court-chief-justice-beverley-maclachlin-retires-amid-police-investigation-part-1.pdf>

There is an idiom that says "fool me once, shame on you; fool me twice, shame on me", there is no idiom for full me 9 times, no one is that stupid. Even if I just fell of a banana tree and landed in court, I was able to without being elected convince 37 city elected councils to pass a motion that hydro should be affordable, therefore I cannot be as stupid as you think. In the end, there will be a Canadian Judicial Council Judges Act "record of investigation" for all judicial criminal misconduct complaints.

Excerpts of December 12 Motion To Chief Justice Richard Wagner ...DECLARATION THAT;

- 1) Whereas rule 78(3) is unconstitutionally overbroad because it allows the Registrar to act in bad faith abuse of process to do indirectly [use s15, 97(1c) Supreme Court Act 8(2), 19(2), 73(4) Rules] what cannot be done directly [defraud 52(1) Constitution Acts, 1867 to 1982, s24 Charter of Rights].
- 2) Whereas the Chief Justice Richard Wagner has no immunity if he permits Registrar Roger Bilodeau to act without jurisdiction by using s15, 97(1c) Supreme Court Act 8(2), 19(2), 73(4) Rules before deciding the constitutionality of s15, 97(1c) Supreme Court Act 8(2), 19(2), 73(4) Rules, any letter refusing to file reconsideration motion records in files 36859, 37105, 37246, 37600, 37602, 37603, 37604, 37605, 37660, 37672, 37763, 37761, are void abinitio due to lack of jurisdiction.
- 3) Whereas Roger Bilodeau Supreme Court Registrar is a Government Of Canada employee with an s12 Charter duty of care to the applicant made several false statements about s40 Supreme Courts Act jurisdiction in order to extort Supreme Courts Act leave to appeal statutory rights AND breached his \$600 contract duty to respond to s40 Supreme Courts Act jurisdiction rebuttals AND consequently

defrauded applicant right to reply before submission to the court, any submission of \$600 extortion issue court documents to a judge is void abinitio for lack of jurisdiction to breach s12 Charter rights.

S15 Supreme Court Act is unconstitutionally overbroad it shall read in as follows; “15 Subject to the Constitution of Canada and direction of the Chief Justice the Registrar shall superintend ...”, in the alternative s15 is read down and the AG shall have 6 months to remedy s15.

S97(1c) Supreme Court Act is unconstitutionally overbroad it shall read in as follows; “97(1)(c) for empowering the Registrar to subject to the Constitution of Canada do any such thing and transact any such business as is specified in the rules or orders, and to exercise any authority and jurisdiction in respect of the rules or orders as may be done,” in the alternative s97(1c) is read down and the AG shall have 6 months to remedy s97(1c).

S78(3) Supreme Court Rules is unconstitutionally overbroad it shall read in as follows; “78 (3) subject to s97(1c)(2)(3) Supreme Court Act ..Registrar’s decision to refuse to accept a document under .. 8(2) or 73(4) is not an order” in the alternative S78(3) is read down, SC shall have 6 months to remedy S78(4).

S73(4) Supreme Court Rules is unconstitutionally overbroad it shall read in as follows; “73 (4) The Registrar may subject to s97(1c)(2)(3) Supreme Court Act shall refuse to accept a motion for reconsideration ..” in the alternative S73(4) is read down, SC shall have 6 months to remedy S73(4).

S8(2) Supreme Court Rules is unconstitutionally overbroad it shall read in as follows; “8(2) The Court, a judge or the Registrar may subject to s97(1c)(2)(3) Supreme Court Act refuse a document that does not comply with these Rules ...“ in the alternative 8(2) is read down, SC has 6 months to remedy s8(2).

S19(2) Supreme Court Rules is unconstitutionally overbroad it shall read in as follows; “19(2) On receipt of a document, the Registrar may subject to s97(1c)(2)(3) Supreme Court Act (a) accept or reject the document for filing;” in the alternative 19(2) is read down, SC shall has 6 months to remedy s19(2).

Letter Sent On November 10 To Roger Bilodeau

I received your letter dated November 3, 2017 re Conseil de la Magistrature in which you repeat previous false statements “Section 40 of the Supreme Court Act provides that the Court can hear appeals from “any final or other judgment of the Federal Court of Appeal or of the highest court of final resort in a province, or a judge thereof.” That means that the decision you are appealing from must be a final judgement that cannot be appealed anywhere but in this Court. In view of the above, it is not clear that the letter of Mr Gervais falls within the meaning of the words “final or other judgement” in s.40”.

It is clear that “Mr Gervais falls within the meaning of the words “final or other judgement” in s.40”, therefore, this statement is a violation of 362(1) Criminal Code false statement in writing, 380(1a) Criminal Code deceit falsehood, other fraudulent means, 21b Criminal Code party to the offence of Mr Gervais, s341 fraudulent concealment of s40 extortion fraud by Roger Bilodeau.

In light of the following word for word excerpts from the Application before you, October 30 and several 13 prior letters, please explain why in order to cover up previous falsehoods, you repeated the false statement that “letter of Mr Gervais” does not “falls within the meaning of the words “final or other judgement” in s.40” which is a direct contradiction of Parliament of Canada legislated meaning of “appeal” “final judgement” “judgment” “judicial proceeding” ;

....

Supreme Court Act (R.S.C., 1985, C. S-26) Definitions 2 (1) In this Act, appeal includes **any proceeding** to set aside or vary any judgment of the **court appealed from**; (appel)

final judgment means any judgment, rule, order **or decision** that determines in whole or in part any **substantive right** of any of the parties in controversy in any judicial proceeding;

judgment, when used with reference to the court appealed from, includes any judgment, rule, order, **decision**, decree, decretal order or sentence thereof, and when used with reference to the Supreme Court, includes any judgment or order of that Court; (jugement)

judicial proceeding includes any action, suit, **cause, matter or other proceeding** in disposing of which the court appealed from has not exercised merely a regulative, administrative or executive jurisdiction;

Outstanding Matters From October 30 Letter

I received your October 23 response to my October 4, 20 letters, while the reply only addresses T-1534-16 and T-1640-16 AKA \$150 explanation contract fraud, you repeat the lie that “the Court does not have jurisdiction”, this is the same 16-A-38, A294-16, A367-16, A164-16, A201-16, A313-16, \$450 explanation contract fraud issue,

Supreme Court Lawyer Is Calling Supreme Court Registrar A Liar

1) .. The Supreme Court lawyer Anna Turinov writes “Further to the response of the respondent, Federal Court of Canada, please be advised that **we are taking no position**”. That is a mea culpa, so if your own lawyer does not believe you, why is that not enough to convict you? Perjury is a criminal offence, if you really want to prove that you have honest belief in no jurisdiction, **put your answer in an affidavit**.

Submitting The \$600 Explanation Contract Fraud Files Is A Crime

2) I warn you and your staff not to file this as a response to the respondents, that would be fraud. There are false allegations in the respondents \$600 explanation contract fraud replies, I am entitled to respond after Roger Bilodeau has fulfilling the \$600 contract. He was warned that if he cannot explain his “no jurisdiction” statement, he cannot cash the cheque, he cashed the cheque therefore he must explain before we can all move on. If you of your staff submit \$600 explanation contract fraud files to the judges without my response to the respondents, that would be a fraudulent purpose breach of contract.

Quebec Court Of Appeal Is Calling Roger Bilodeau A Liar

3) A Clerk in the Quebec Court of Appeal acted without jurisdiction to strike a civil appeal, he argue that I should appeal to the Supreme Court jurisdiction, I provided him a copy of your letter “premature ... dismissed because the Court does not have jurisdiction” in order to convince him to comply with the statutory requirement that only 3 judges can strike an appeal. Despite several letters to the Chief Justices, Montreal Police Director, other judges, the Clerk and the judges he works for, were so afraid of the content of the appeal, that he acted without jurisdiction to strike the appeal without an order signed by 3 judges. Therefore the Quebec Court of Appeal does not believe your s40 letter.

In Alternative, Admit To Extortion

4) You as a government employee chose to threaten me with injury of loss of \$600 application fees by lying no jurisdiction before the fees were paid with mens rae to save the government and the Supreme Court. That gave me the right to ask you for an explanation to the following questions, if you cannot provide an explanation, you have to admit that you lied to extort me of my s40 rights.

Factual Test For Fulfilling \$600 Explanation Contract

5) The test for fulfilling the \$600 explanation contract has been provided to you many times. I advised you to stop lying because you have to lie to cover up another lie, but you refused to take my advice. In order to fulfill the \$600 contract, you must provide an alternative interpretation of each of the following paragraphs Excerpts From October 4 Letter;

Federal Court Of Appeal File T1640-16 [Rule Of Law And S12 S21 Canada Interpretation Right To Remedy For Supreme Court Conservative Party Fraud],

Please explain April 6 text; “The Federal Court of Appeal decision dated January 23, 2017 does not fall within the meaning of s40 as explained above. ... no judgement was issued in File number T-1640-16 If you decide to apply ... for leave to appeal..Your application will be dismissed because the Court does not have jurisdiction.”

16 Criminal Code Offences By Supreme Court Registrar

6) Contract Fraud; “You did not take my advice, now you have now stolen \$450, you know the laws of contract, I offered \$450 for a service (explanation of the meaning of “premature...no jurisdiction”), I just received a receipt from you dated August 22, I was very clear that without the explanation, cashing the cheque is theft, you proceeded to cash the cheque which is fraud because you have not delivered the service I paid for.

7) Defrauding A367-17 Right To Reply; “As you know I am precluded from responding in A367-16 until I receive a letter “**explaining the meaning** of “premature ... dismissed because the Court does not have jurisdiction”, if you do not fulfill your end of the contract, you are a thief and I will charge you for this theft and other crimes.”

8) Conspiracy With The Crown; “Since you knew you were lying, you initially made the tactical fraudulent decision to proceed on A367-16, without cashing the cheque, but chose to cash the cheque because the Crown overruled by decision b replying other files without an authorization to reply. You sent a receipt without “explanation of the meaning of “premature ... dismissed because the Court does not have jurisdiction”. You cannot have it both ways, now that you have issue a receipt to help the Crown, you must explain “premature ... dismissed because the Court does not have jurisdiction” or face prosecution for theft of \$450.”

9) “Premature ... Dismissed Because The Court Does Not Have Jurisdiction” Is Deliberately False With Mens Rae To Extort Statutory Appeal Rights;

“On April 6, you wrote; “Section 40 of the Supreme Court Act provides that the Court can hear appeals from “any final or other judgment of the Federal Court of Appeal or of the highest court of final resort in a province, or a judge thereof.” That means that the decision you are appealing from must be a final judgement that cannot be appealed anywhere but in this Court. ... your application may be premature ... If you decide to apply to this Court ...your application will be dismissed because the Court does not have jurisdiction”

It is clear that this falsehood and threat of injury is intended to defraud “If you decide to apply to this Court for leave”, further the use of words like “may” “could have” “strong possibility” is evidence that you knew that you were lying about the meaning of s40, this goes to motive, for seeking to exploit my “English language deficiencies” fraudulently identified by Justice Hackland and Norman Sabourin.

Despite repeated evidence of this falsehood, this threat of injury was repeated in the following letters (12 counts of a s362 criminal code offence);

8 Letters dated April 6, Letter dated April 13, Letter dated June 7, Letter dated May 16, Letter dated August 11

On May 20 I wrote ..., so you cannot lie that you do not know that you are committing fraud; “Appeals with leave of Supreme Court 40 (1) Subject to subsection (3), an appeal lies to the Supreme Court from any final **or other judgment** of the Federal Court of Appeal or of the highest court of final resort in a province, or a judge thereof, in which judgment can be had in the particular case sought to be appealed to the Supreme Court, whether or not leave to appeal to the Supreme Court has been refused by any other court, where, with respect to the particular case sought to be appealed, the Supreme Court is of the opinion that any question involved therein is, **by reason of its public importance or the importance of any issue of law** or any issue of mixed law and fact involved in that question, one that ought to be decided by the Supreme Court or is, for any other reason, **of such a nature or significance** as to warrant decision by it, and leave to appeal from that judgment is accordingly granted by the Supreme Court.

Firstly “or” means in the alternative, s40 provides 4 types of order that can be appealed; any final (by persons other than a judge)
or other judgment of the Federal Court of Appeal (by persons other than a judge)
or of the highest court of final resort in a province (by persons other than a judge)
or a judge thereof.”

Secondly, “judgment” is defined in the Supreme Court Act to include other verbal or written decisions.

<http://legal-dictionary.thefreedictionary.com/decision>

Decision; A conclusion reached after an evaluation of facts and law. As a **generic term**, decision refers to both administrative and **judicial** determinations. It includes final judgments, **rulings, and interlocutory or provisional** orders made by the court pending the outcome of the case. Frequently, a decision is considered the **initial step** in a rendition by a court of a judgment in an action. When referring to judicial matters, a decision is not the same as an opinion, although the terms are sometimes used interchangeably. A decision is the **pronouncement of the solution of the court** or judgment in a case, while an opinion is a statement of the reasons for its determination made by the court.

- There is nothing in the Supreme Court Act that a decision has to be in writing.
- There is nothing in the Supreme Court Act that a decision has to have a file number.
- The word “decree” includes oral decisions to a registry officer.
- The lack of decision to issue a file number is a decision that can be appealed.
- The word includes means that as long as it affects any of the “substantive right of any of the parties in controversy”, any verbal or written or implied decision can be appealed”

Please explain why the Court has jurisdiction over fraud by Justice Gleason in 37105 but no jurisdiction in these 8 files? These counts and the orders in question were before you, please explain how the Supreme Court jurisdiction over 162 counts of fraud is premature? How many counts of fraud will it take for the Supreme Court to have jurisdiction? ...”

10) Mr Bilodeau lied that s40 leave to appeal in 6 Federal Court of Appeal files are “premature”.

11) Mr Bilodeau lied that there is no s40 leave to appeal “jurisdiction” in 8 Federal Court of Appeal files, because the “decision you are appealing must be a final judgement”.

12) Mr Bilodeau lied that “Supreme Court Act ... an appeal to the Supreme Court lies on a question of law alone with leave of that Court, from a final judgment of the Federal Court or of a court of a province other than the highest court of final resort therein” “court appealed from means the court from which the appeal is brought directly to the Supreme Court, whether that court is one of original jurisdiction or a court of appeal” does not include Ontario Superior Court, Federal Court, New Brunswick Court of Queens Bench.

Please also be advised that the Parliament of Canada has exclusive Constitution Acts 1867 to 1982 Legislative Authority of Parliament of Canada 91 ‘Criminal Law ‘ constitutional jurisdiction to write the Criminal Code. The following show that the Supreme Court does not have immunity from criminal prosecution for deliberately making false statements with mens rae to defraud property and service;

S504 “ ...the justice shall receive the information, where it is allegedthat **the person** has committed, anywhere, an indictable offence”

“every one, person and owner, and similar expressions, include **Her Majesty and an organization;** “**justice system participant** means...(b) a **person** who plays a role in the administration of criminal justice, including...(iii) a judge and a justice, ...(viii.1) a public officer within the meaning of subsection 25.1(1) and a person acting at the direction of such an officer,.. “

“**organization** means (a) a **public body**, body corporate, society, company, firm, partnership, trade union or municipality, or (b) **an association of persons that (i) is created for a common purpose, (ii) has an operational structure, and (iii) holds itself out to the public as an association of persons;**”

22.2 In respect of an offence that requires the prosecution to prove fault - other than negligence - an organization is a party to the offence if, with the intent at least in part to benefit the organization, one of its senior officers (a) acting within the scope of their authority, is a party to the offence; (b) having the mental state required to be a party to the offence and acting within the scope of their authority, directs the work of other representatives of the organization so that they do the act or make the omission specified in the offence; or (c) knowing that a representative of the organization is or is about to be a party to the offence, **does not take all reasonable measures to stop them from being a party to the offence.**

Protection of Persons Administering and Enforcing the Law 25.1 ... Principle (2) It is in the public interest to ensure that public officers may effectively carry out their law enforcement duties in accordance with the rule of law and,Requirements for certain acts (9) No public officer is justified in committing an act or omission that would otherwise constitute an offence and that would be likely to result in **loss of or serious damage to property**....Limitation (11) Nothing in this section justifies...(b) the wilful attempt in any manner to **obstruct, pervert or defeat the course of justice;**

Interpretation Act, Corporations: Powers vested in corporations 21 (1) Words establishing a corporation shall be construed (a) as vesting in the corporation power to sue and be sued,.....(d) as exempting from **personal liability for its debts, obligations or **acts individual members of the corporation who do not contravene the provisions of the enactment establishing the corporation.****

All of which respectfully submitted by Ade Olumide

SUPREME COURT RULE 78(1) MOTION RECORD FOR;

As A Result Of Registrar Use Of The Unconstitutional Legislation / Rules To Refuse Filing Of New Evidence Reconsideration Motion Records In Supreme Court Civil Files 36859, 37105, 37246, 37600, 37602, 37603, 37604, 37605, 37660, 37672, 37763, 37761, Applicant Hereby Seek Mandamus On Supreme Court Registrar To Schedule The Oral Hearing For S15, 97(1c) Supreme Court Act 8(2), 19(2), 73(4), 78(3) Supreme Court Rules Constitutional Question (**Civil**)

To Be Heard By Supreme Court Chief Justice Right Honourable Richard Wagner Or A Supreme Court Judge Who Is Not In A Conflict Of Interest

CC: Michael Ferguson, Auditor General of Canada, Telephone 1-888-761-5953 Fax 613-957-0474, Office of the Auditor General of Canada, 240 Sparks Street, Ottawa, Ontario K1A 0G6 Canada c/o Legal Counsel, Office of the Auditor General of Canada erin.kelly@oag-bvg.gc.ca Tel: 613-952-0213 (6421)

CC: Joe Friday, Public Sector Integrity Commissioner of Canada, 60 Queen Street, Ottawa, Ontario K1P 5Y7, Telephone: 1-866-941-6400, Fax: 613-946-2151

In The Supreme Court Of Canada File 37761
(On Appeal From *Federal Court Of Appeal T1640-16*)

Between: *Ade Olumide* (Applicant)
And: Supreme Court of Canada, Federal Court, Conservative Party (Respondent)

In The Supreme Court Of Canada File 37672
(On Appeal From Ontario *Court Of Appeal M47151*)

Between: *Ade Olumide* (Applicant)
And: Her Majesty The Queen In Right Of Ontario (The "Crown") (Respondent)

In The Supreme Court Of Canada File 37763
(On Appeal From *Federal Court Of Appeal T1534-16*)

Between: *Ade Olumide* (Applicant)
And: Federal Court of Appeal (Respondent)

In The Supreme Court Of Canada File 36859
(On Appeal From *Federal Court Of Appeal A53-15*)

Between: *Ade Olumide* (Applicant)
And: Her Majesty The Queen In Right Of Canada (The "Crown") (Respondent)

In The Supreme Court Of Canada File 37105
(On Appeal From *Federal Court Of Appeal 16-A-20*)

Between: *Ade Olumide* (Applicant)
And: Her Majesty The Queen In Right Of Canada (The "Crown") (Respondent)

In The Supreme Court Of Canada File 37246

(On Appeal From *Ontario Court Of Appeal C61130*)
Between: *Ade Olumide* (Applicant)
And: Conservative Party Of Canada Et Al (Respondent)

In The Supreme Court Of Canada File 37604
(On Appeal From *Federal Court Of Appeal 16-A-38*)
Between: *Ade Olumide* (Applicant)
And: Her Majesty The Queen In Right Of Canada (The “Crown”) (Respondent)

In The Supreme Court Of Canada File 37602
(On Appeal From *Federal Court Of Appeal A294-16*)
Between: *Ade Olumide* (Applicant)
And: Her Majesty The Queen In Right Of Canada (The “Crown”) (Respondent)

In The Supreme Court Of Canada File 37605
(On Appeal From *Federal Court Of Appeal A164-16*)
Between: *Ade Olumide* (Applicant)
And: Her Majesty The Queen In Right Of Canada (The “Crown”) (Respondent)

In The Supreme Court Of Canada File 37600
(On Appeal From *Federal Court Of Appeal A201-16*)
Between: *Ade Olumide* (Applicant)
And: Her Majesty The Queen In Right Of Canada (The “Crown”) (Respondent)

In The Supreme Court Of Canada File 37660
(On Appeal From *Federal Court Of Appeal A367-16*)
Between: *Ade Olumide* (Applicant)
And: Canadian Judicial Council Et Al (Respondent)

In The Supreme Court Of Canada File 37603
(On Appeal From *Federal Court Of Appeal A313-16*)
Between: *Ade Olumide* (Applicant)
And: Conservative Party Of Canada (Respondent)

FROM APPELLANT: Ade Olumide, , Dunrobin, ON, KOA 1T0
Tel: 613 265 6360 Fax: 613 832 2051, ade6035@gmail.com

December 18, 2017

TO RESPONDENTS: Canadian Judicial Council, Chair [The Right Honourable Beverley McLachlin](#) c/o Norman Sabourin, Executive Director and Senior General Counsel, 112 Kent Street, Ottawa, Ontario, K1A 0W8, tel. (613) 288-1566; fax (613) 288-1575,

Federal Court, c/o The Honourable Paul Crampton, Federal Court Chief Justice, Tel 613-992-4238, Fax: 613-952-3653, 90 Sparks Street, Ottawa, ON, K1A 0H9 , c/o Nadia Effendi, T 416.367.6728, neffendi@blg.com, Borden Ladner Gervais LLP, Scotia Plaza, 40 King St W, Toronto, ON, Canada M5H 3Y4, 416.367.6000, F 416.367.6749

William F. Pentney, Q.C. Deputy Attorney General of Canada, c/o Joanna.Hill@justice.gc.ca c/o Daniel Caron, Department of Justice, 50 O’Connor Street, 5th Floor Ottawa, Ontario K1A 0H8 Tel: 613 670 8515 Fax 613 954 1920, Daniel.Caron@justice.gc.ca

Counsel for Conservative Fund Canada, Conservative Party of Canada c/o Paul D’Angelo, Partner, Perley-Robertson, Hill & McDougall LLP/s.r.l., 1400 - 340 rue Albert Street, Ottawa, ON K1R 0A5, Tel: 613-566-2808 Fax: 613-238-8775, Email: pdangelo@perlaw.ca

Her Majesty The Queen In Right Of The Province Of Ontario (The “Crown”) Ontario Deputy Attorney General, c/o Domenico Polla, Counsel, Ministry of the Attorney General of Ontario, 720 Bay St 8th Floor, Toronto, ON M7A 2S9, T:(416) 326-2984, F: (416) 326-4181, domenico.polla@ontario.ca

Supreme Court of Canada, c/o The Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada, Office of the Registrar: Tel 613-995-4330 Fax: 613-996-9138, 301 Wellington Street, Ottawa, Ontario, K1A 0J1, Anna Turinov, Legal Counsel, Law Branch, Supreme Court of Canada, Anna.Turinov@SCC-CSC.CA, Tel. | Tél.: 613-996-8026 / Fax | Téléc.: 613-943-1570

Federal Court of Appeal, c/o The Honourable Marc Noel, Federal Court of Appeal Chief Justice, Tel 613-996-6795, Fax: 613 952 7226, 90 Sparks Street, Ottawa, ON, K1A 0H9 c/o Nadia Effendi, T 416.367.6728, neffendi@blg.com, Borden Ladner Gervais LLP, Scotia Plaza, 40 King St W, Toronto, ON, Canada M5H 3Y4, 416.367.6000, F 416.367.6749

Attention: Roger Bilodeau, Registrar, Supreme Court of Canada by [Email](mailto:Roger.Bilodeau@scj.gc.ca) CC Respondents' Email **December 18, 2017**

WITH SERVICE OF NOTICE OF MOTION AND CONSTITUTIONAL QUESTION TO;
Attorney General of Canada, c/o Daniel Caron, Department of Justice, 50 O'Connor Street, 5th Floor
Ottawa, Ontario K1A 0H8 Tel: 613 670 8515 Fax 613 954 1920, Daniel.Caron@justice.gc.ca

Attorney General “AG” of Ontario, Ministry of the Attorney General, McMurtry-Scott Building, 720 Bay Street, 11th Floor, Toronto, ON, M7A2S9, Fax: 416-326-4007
AG of Nova Scotia, PO Box 7, Halifax, Nova Scotia B3J 2L6 Ph (902) 424-4030 Fax: 902 424 1730
Attorney General of New Brunswick, Chancery Place, P. O. Box 6000, Fredericton, NB, E3B 5H1, 675 King Street, Fredericton, New Brunswick, E3B 1E9 Fax: (506) 453-3651

Attorney General of Manitoba, 1205 – 450 Broadway, Winnipeg, MB R3C 3L6, Fax : 204 945 2517

Attorney General of Saskatchewan, 820 – 1874 Scarth Street, Regina, SK S4P 4B3, Fax: 306 787 9111

AG of Northwest Territories, PO Box 1320, Yellowknife, NT X1A 2L9, Fax 827 873 0234

AG of Nunavut, Court House PO Bag 1000, Stn 500 Iqaluit, NU X0A 0H0 Fax 867 975 6195

AG of Newfoundland and Labrador, 4th Fl. East Block, St John's NL A1B 4J6 Fax 709 729 2129

AG of British Columbia, PO Box 9280 Stn. Prov Govt, Victoria, BC V8W 9J7, Fax 250 356 9154

Attorney General of Quebec, 1200 Rue De l'Eglise 2nd Etage, Quebec, G1V 4M1, 418 644 7030

AG of Alberta, 9833-109th St. NW, 4th Floor, Edmonton, AB, T5K 2E8 Fax 780 425 0307

Attorney General of Yukon, Department of Justice Canada, 310-300 Main Street, Whitehorse, Yukon Y1A 2B5, Tel 867 -393-7950 Fax 867 667 3934

TAKE NOTICE that an attorney general who intends to intervene with respect to this constitutional question may do so by serving a notice of intervention in Form 33C on all other parties and filing the notice with the Registrar of the Supreme Court of Canada within four weeks after the day on which this notice is served.

AND TAKE NOTICE THAT NOTICE OF MOTION IS PURSUANT TO RULE 78(1) APPEAL OF REGISTRAR'S DECISION TO USE UNCONSTITUTIONAL LEGISLATION / RULES TO VIOLATE THE CONSTITUTION AND 21b, s22.2, 25.1(9)(11b), 341, 362, s380(1a) CRIMINAL CODE SHALL BE HEARD BY THE SUPREME COURT CHIEF JUSTICE RICHARD WAGNER OR A SUPREME COURT JUDGE WHO IS NOT IN A CONFLICT OF INTEREST;

S11 Criminal Code, Supreme Court Act 2, 3, 15, 20, 51(2b), s97, "judgment" "appeal" "final judgment" "judicial proceeding" Supreme Court "SC" Rules 3, 8, 12, 19, 73, 78.

Objects, 16 Canadian Victims Bill Of Rights S.C. 2015, C. 13, S. 2

Preamble, Whereas crime has a **harmful impact** on victims and on society;

Whereas victims of crime and their families deserve to be treated with **courtesy, compassion and respect, including respect for their dignity;**

Whereas it is important that **victims' rights be considered throughout the criminal justice system;**

Whereas victims of crime have **rights that are guaranteed by the Canadian Charter of Rights and Freedoms;** Whereas consideration of the rights of victims of crime is in the interest of the **proper administration of justice;**

...Restitution order 16 Every victim has the **right to have the court consider making a restitution order** against the offender.

Garland v. Consumers' Gas Co., [2004] 1 S.C.R. 629, 2004 SCC 25, 52...Criminal Code are intra vires the level of government that enacted them...overriding public policy consideration in this case is the fact that the LPPs were collected in contravention of the Criminal Code. As a matter of public policy, **a criminal should not be permitted to keep the proceeds of his crime.**

Allard v. Canada, 2016-02-24, 2016 FC 236, T-2030-13...principles of fundamental justice ...overbreadth... gross disproportionality ...a law that takes away rights in a way that generally supports the object of the law, goes too far by denying the rights of some individuals in a way that **bears no relation to the object...grossly disproportionate** effect on one person is sufficient to violate the norm... effect ... undermines the objective"

Equality **under the law** is equality in the substance of the law ... so that **everyone experiences the same result.** Equal benefit of the law ensures that benefits imposed by law will be proportionate. **Equal protection** of the law ensure that the protections imposed by law will be proportionate so that the **human dignity** of every person is equally safeguarded by the law. Iacobucci J. in Law v. Canada, [1999]),

JTI-Macdonald Corp. v. AGBC, 2000 BCSC 312 (CanLII) THE RULE OF LAW [118] That unwritten constitutional principles form part of the fabric of the Canadian Constitution is clear. As expressed by Chief Justice Lamer, the provisions of the preamble to the [Constitution Act, 1867](#) provide "**organizing principles**" that may be used to "**fill out gaps**" in the express terms of the constitutional scheme[136] The principle of the sovereignty of Parliament requires **judicial obedience to the strict terms of the statute.** In the process of applying a statute, however, **uncertainties concerning its scope or effect in particular circumstances are bound to arise.** The rule of law requires that these

uncertainties be resolved, so far as possible, in a manner which would most **conform to the reasonable understanding of the subject to whom the statute is primarily addressed**. Implicit in this understanding is the expectation that **Parliament will conform to the generally accepted notions of fairness and justice** -- that punishment will not be authorized for acts which were not known to be unlawful when committed, that vested rights will not be destroyed without reasonable compensation, that the **powers of officials are to be limited by proper respect for the liberty of the citizen**. "If the words are not conclusive in themselves, the reasonableness or otherwise of the construction contended for has always been recognized as a **matter fairly** to be taken in account" ..147] ... one law for all" concept based on the rule of law providing the law be supreme over both the acts of government and private persons:...[228]...The process of interpreting a statutory provision that is susceptible of more than one meaning was traditionally governed by the basic precept that the Court's function is to **discover the intention of the legislature**. In a case in which the ordinary rules of construction yield two equally plausible meanings, policy considerations are a factor in resolving the conflict. In constitutional cases before the **Charter** this was reflected in the practice of interpreting statutes by applying a presumption that **a legislative body does not intend to exceed its powers under the Constitution**.

“RWDSU v. Dolphin Delivery Ltd., [1986] 2 SCR 573, 1986 CanLII 5 (SCC) **Charter** will apply to any rule of the common law that ...directs an abridgement of a guaranteed right...**if an...order would infringe a Charter right, the Charter will apply to preclude the order, .. by .. implication, to modify the common law rule...**”

Gosselin v. Québec (Attorney General), [2002] 4 SCR 429, 2002 SCC 84... By enacting the Social Aid Act, the Quebec government triggered a state obligation...C. Negative vs. Positive Rights and the Requirement of State Action [319] ... rights include a positive dimension, such that they are not merely rights of non-interference but also what might be described as rights of “performance”, then they may be violable by mere inaction....

Roncarelli v. Duplessis 1959 CanLII 50 (SCC), [1959] S.C.R. 121,**there is no such thing as absolute and untrammelled "discretion"**, that is that action can be taken on **any ground or for any reason** ...; no legislative Act can... be taken to contemplate an unlimited arbitrary power exercisable for any purpose, however capricious .. regardless of the nature or purpose of the statute."Discretion" necessarily implies good faith in discharging public duty; ... **any clear departure from its lines or objects is just as objectionable as fraud or corruption**.

Freeman v. Canada (Citizenship and Immigration), 2013-10-23, 2013 FC 1065, IMM-6304-12, “good faith” means “... **carrying out the statute according to its intent and for its purpose**; ... not with an **improper intent** ... “good faith” does not mean ... **punishing a person for exercising an unchallengeable right**” and “**it does not mean arbitrarily and illegally attempting to divest a citizen of an incident of his civil status**”... “acts that are so ... **inconsistent with ... legislative context that a court cannot ...conclude that they were performed in good faith**”. ... evidence of bad faith is not required. It can... be inferred from the **surrounding circumstances**... that **absence of good faith can be deduced and bad faith presumed**”:

Constitution Acts, 1867 to 1982 52(1) states “Any law inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect”

s12 s13 s21(1a,d) Canada Interpretations Act, 41, 41.2 Quebec Interpretation Act, 8, 17 BC Interpretation Act, 1, 15, 17 NB Interpretation Act, s10 Ontario Interpretation Act, s10 Alberta Interpretation Act, 46(2) Federal Courts Act, 97(2) Supreme Courts Act, 96(2) Ontario Courts Justice Act

s12 s24 Charter of Rights and Freedoms, objects s4, 10, 12, 23 Quebec Charter of Rights, s1a,b, 2, 3 Alberta Bill Of Rights,

objects, s16 Canada Victims Bill of Rights, s2 Alberta Victims of Crimes Act,

s2(b,e) Canadian Bill Of Rights against criminals' revictimization of victim principle of fundamental justice,

rule of law right to self defence against ongoing crimes

s9, 89 and 180 Oath Quebec Courts Justice Act, s80 Oath Ontario Courts Justice Act, s9 Oath Federal Courts Act, s10 Oath Supreme Courts Act

APPELLANT SEEKS DECLARATION THAT;

4) Whereas rule 78(3) is unconstitutionally overbroad because it allows the Registrar to act in bad faith abuse of process to do indirectly [use s15, 97(1c) Supreme Court Act 8(2), 19(2), 73(4) Rules] what cannot be done directly [defraud 52(1) Constitution Acts, 1867 to 1982, s24 Charter of Rights].

5) Whereas the Chief Justice Richard Wagner has no immunity if he permits Registrar Roger Bilodeau to act without jurisdiction by using s15, 97(1c) Supreme Court Act 8(2), 19(2), 73(4) Rules before deciding the constitutionality of s15, 97(1c) Supreme Court Act 8(2), 19(2), 73(4) Rules, any letter refusing to file reconsideration motion records in files 36859, 37105, 37246, 37600, 37602, 37603, 37604, 37605, 37660, 37672, 37763, 37761, are void abinitio due to lack of jurisdiction.

6) Whereas Roger Bilodeau Supreme Court Registrar is a Government Of Canada employee with an s12 Charter duty of care to the applicant made several false statements about s40 Supreme Courts Act jurisdiction in order to extort Supreme Courts Act leave to appeal statutory rights AND breached his \$600 contract duty to respond to s40 Supreme Courts Act jurisdiction rebuttals AND consequently defrauded applicant right to reply before submission to the court, any submission of \$600 extortion issue court documents to a judge is void abinitio for lack of jurisdiction to breach s12 Charter rights.

a) Whereas equality under s12 Charter law ^{Iacobucci J. in Law v. Canada, [1999]),} is binding on the Registrar

b) Whereas the rule of law against arbitrary statutory interpretation means that 15, 97(1c) Supreme Court Act 8(2), 19(2), 73(4) Supreme Court Rules cannot be used to contravene the objects of the Supreme Court Act has been codified in s97(2)(3) Supreme Court Act, s12 s13 s21(1a,d) Canada Interpretations Act, 41, 41.2 Quebec Interpretation Act CI-16, 8, 17 BC Interpretation Act, 1, 15, 17 NB Interpretation Act, s10 Ontario Interpretation Act, s10 Alberta Interpretation Act, 46(2) Federal Courts Act, 97(2) Supreme Courts Act, 96(2) Ontario Courts Justice Act.

c) Whereas objects, s16 Canada Victims Bill of Rights is an object of the Supreme Court Act

d) Whereas using s15, 97(1c) Supreme Court Act 8(2), 19(2), 73(4) Supreme Court Rules to breach s11 Criminal Code is bad faith, because the criminals retain the proceeds of the crime,

e) Whereas “[36] if ..order would infringe a Charter right, the Charter will apply to preclude the order,... courts are..bound by the Charter" *RWDSU v Dolphin Delivery Ltd*[1986] 2 SCR573, 1986 SCC is binding on the Registrar’s rule of law use of s15, 97(1c) Supreme Court Act 8(2), 19(2), 73(4) Supreme Court Rules.

f) Whereas s15, 97(1c) Supreme Court Act 8(2), 19(2), 73(4) Supreme Court Rules cannot be used to violate Rule Of Law s2(b,e) Canadian Bill Of Rights Against Criminals’ Revictimization Of Victim Principle Of Fundamental Justice which is tested by adapting *R. v. Smith (Edward Dewey)*, [1987] 1 SCR 1045 s12 Charter cruel treatment test; 21b party to ongoing tax fraud predominant causation for political career destruction / loss of job / loss of home / \$100,000 costs reprisals (treatment) to revictimize a victim fraud;

- I. goes beyond what is necessary to achieve a legitimate Interpretations Act objective
- II. is unacceptable to a large segment of the population
- III. does not have any social purpose such as reformation, rehabilitation or deterrence
- IV. does not accord with public standards of decency or propriety
- V. is of such a character as to shock general conscience
- VI. is unusually severe, degrading to dignity and worth

S15 Supreme Court Act is unconstitutionally overbroad it shall read in as follows; “15 Subject to the Constitution of Canada and direction of the Chief Justice the Registrar shall superintend ...”, in the alternative s15 is read down and the AG shall have 6 months to remedy s15.

S97(1c) Supreme Court Act is unconstitutionally overbroad it shall read in as follows; “97(1)(c) for empowering the Registrar to subject to the Constitution of Canada do any such thing and transact any such business as is specified in the rules or orders, and to exercise any authority and jurisdiction in respect of the rules or orders as may be done,” in the alternative s97(1c) is read down and the AG shall have 6 months to remedy s97(1c).

S78(3) Supreme Court Rules is unconstitutionally overbroad it shall read in as follows; “78 (3) subject to s97(1c)(2)(3) Supreme Court Act ..Registrar’s decision to refuse to accept a document under .. 8(2) or 73(4) is not an order” in the alternative S78(3) is read down, SC shall have 6 months to remedy S78(4).

S73(4) Supreme Court Rules is unconstitutionally overbroad it shall read in as follows; “73 (4) The Registrar may subject to s97(1c)(2)(3) Supreme Court Act ~~shall~~ refuse to accept a motion for reconsideration ..” in the alternative S73(4) is read down, SC shall have 6 months to remedy S73(4).

S8(2) Supreme Court Rules is unconstitutionally overbroad it shall read in as follows; “8(2) The Court, a judge or the Registrar may subject to s97(1c)(2)(3) Supreme Court Act refuse a document that does not comply with these Rules ...“ in the alternative 8(2) is read down, SC has 6 months to remedy s8(2).

S19(2) Supreme Court Rules is unconstitutionally overbroad it shall read in as follows; “19(2) On receipt of a document, the Registrar may subject to s97(1c)(2)(3) Supreme Court Act (a) accept or reject the document for filing;” in the alternative 19(2) is read down, SC shall have 6 months to remedy s19(2).

- I. An order in the nature of mandamus on Registrar Roger Bilodeau is hereby granted, the registrar shall schedule on oral hearing to decide the constitutionality of S15, 97(1c) Supreme Court Act 8(2), 19(2), 73(4), 78(3) Supreme Court Rules.

7) GROUNDS

- a) 2(b,e) Canada Bill of Rights against criminals' cruel revictimization of victim principle of fundamental justice
- b) s12 Charter "positive obligation" *Gosselin v. Québec (Attorney General)*, [2002] 4 SCR 429 ,
- c) rule of law that "[61]..inherent jurisdiction..is not.. to empower a judge..to make an order negating... legislative will" *Verge Insurance Brokers Limited et al. v Richard Sherk et al.*, 2015 ONSC 4044 ,
- d) "[136] rule of law...vested rights will not be destroyed without reasonable compensation" *JTI-Macdonald Corp. v. AGBC*, 2000 BCSC 312 codified in objects s16 Canada Victims Bill of Rights
- e) Rule of law "[36] if ..order would infringe a Charter right, the Charter will apply to preclude the order,... courts are..bound by the Charter" *RWDSU v Dolphin Delivery Ltd*[1986] 2 SCR573, 1986 SCC ,
- f) rule of law against bad faith *Freeman v. Canada (Citizenship)* 2013 FC1065 IMM-6304-12, *Roncarelli v. Duplessis (SCC)* [1959] S.C.R. 121 arbitrary *Allard v. Canada*, 2016 FC 236 use of public power,
- g) Rule of law that "a criminal should not be permitted to keep the proceeds of his crime",
- h) *Rizzo & Rizzo Shoes Ltd. (Re)*, [1998] 1 SCR 27, 1998 CanLII 837 (SCC) 27 consequences...are **incompatible with both the object of the Act**..It is a well established principle of statutory interpretation that the legislature does not intend to produce **absurd consequences**. According to Côté, supra, an interpretation can be considered absurd if it leads to **ridiculous or frivolous consequences, if it is extremely unreasonable or inequitable, if it is illogical or incoherent, or if it is incompatible with other provisions or with the object** of the legislative enactment ... Sullivan echoes these comments noting that a label of **absurdity** can be attached to interpretations which **defeat the purpose of a statute** or render some aspect of it pointless or futile ...

APPELLANT WILL RELY ON;

- I. <https://adeolumideonline.files.wordpress.com/2017/06/canadian-judicial-council-chair-supreme-court-chief-justice-beverley-maclachlin-retires-amid-police-investigation-part-1.pdf>
- II. <https://adeolumideonline.files.wordpress.com/2017/12/beverleymclachlinparttwo.pdf>
- III. https://adeolumideonline.files.wordpress.com/2017/12/openletter_mps1.pdf
- IV. <https://adeolumideonline.files.wordpress.com/2017/12/open-letter-to-all-senators.pdf>

- V. Notice of Motion and Constitutional Question To Supreme Court Chief Justice
- VI. Filed Notice of Motion and Constitutional Question (Civil)To Supreme Court Registrar
- VII. Reconsideration Motion Records For Supreme Court File 37763 Federal Court Of Appeal File T1534-16
- VIII. Reconsideration Motion Records For Supreme Court File 37761 Federal Court Of Appeal File T1640-16
- IX. Reconsideration Motion Records For Supreme Court File 37672 Ontario Court of Appeal File M47151
- X. Reconsideration Motion Records Supreme Court File 37604 Federal Court Of Appeal File 16-A-38
- XI. Reconsideration Motion Records Supreme Court File 37602 Federal Court Of Appeal File A294-16
- XII. Reconsideration Motion Records Supreme Court File 37605 Federal Court Of Appeal File A164-16
- XIII. Reconsideration Motion Records Supreme Court File 37600 Federal Court Of Appeal File A201-16
- XIV. Reconsideration Motion Records Supreme Court File 37660 Federal Court Of Appeal File A367-16
- XV. Reconsideration Motion Records Supreme Court File 37603 Federal Court Of Appeal File A313-16
- XVI. Reconsideration Motion Records For Supreme Court File 37246 Ontario Court of Appeal File C61130
- XVII. Reconsideration Motion Records For Supreme Court File 36859 Federal Court Of Appeal File A53-15
- XVIII. Reconsideration Motion Records For Supreme Court File 37105 Federal Court Of Appeal File 16-A-20
- XIX. The attached files in the following emails to Registry-Greffe@scc-csc.ca;
 - a) On Wed, Dec 13, 2017 at 9:30 AM Ade Olumide Ade <ade6035@gmail.com> wrote:
 - b) On Mon, Dec 4, 2017 at 7:24 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - c) On Wed, Nov 29, 2017 at 5:36 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - d) On Mon, Nov 13, 2017 at 11:04 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - e) On Fri, Nov 10, 2017 at 10:14 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - f) On Sun, Nov 5, 2017 at 3:49 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - g) On Mon, Oct 30, 2017 at 12:08 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - h) On Fri, Oct 20, 2017 at 8:58 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - i) On Wed, Oct 4, 2017 at 8:31 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - j) On Mon, Aug 28, 2017 at 10:26 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - k) On Mon, Aug 21, 2017 at 4:44 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - l) On Tue, Aug 8, 2017 at 12:25 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - m) On Thu, Aug 3, 2017 at 1:06 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - n) On Wed, Jul 26, 2017 at 10:39 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - o) On Wed, Jul 5, 2017 at 12:18 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - p) On Thu, Jun 22, 2017 at 1:02 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - q) On Sat, May 20, 2017 at 5:26 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - r) On Wed, May 17, 2017 at 6:15 PM, Ade Olumide Ade <ade6035@gmail.com> wrote:
 - s) On Tue, April 18, 2017 at 6:39 AM, Ade Olumide Ade <ade6035@gmail.com> wrote:

SIGNED BY December 18 2017 By APPLICANT: Ade Olumide, , Dunrobin, ON, K0A 1T0, Tel: 613 265 6360
 Fax: 613 832 2051, ade6035@gmail.com

SUPREME COURT RULE 78(1) SUPPLEMENTARY MOTION RECORD ; AMENDED NOTICE OF MOTION FOR;

As A Result Of Registrar Use Of Unconstitutional Legislation / Rules To Refuse Filing Of S784 Criminal Code Notice of Appeals In Supreme Court Criminal Files FD-01863, FD-01697, FD-01324, FD-01617, FD-01464, FD-01287, FD-01287, FD 01463, FD-01647, Appellant Hereby Seek Oral Hearing For S15, 58(1b), 97(1c) Supreme Court Act 8(2), 19(2), 33(1d) 73(4), 78(3) Supreme Court Rules S685 Criminal Code Constitutional Question (Criminal)

To Be Heard By Supreme Court Chief Justice Right Honourable Richard Wagner Or A Supreme Court Judge Who Is Not In A Conflict Of Interest

CC: Michael Ferguson, Auditor General of Canada, Telephone 1-888-761-5953 Fax 613-957-0474, Office of the Auditor General of Canada, 240 Sparks Street, Ottawa, Ontario K1A 0G6 Canada c/o Legal Counsel, Office of the Auditor General of Canada erin.kelly@oag-bvg.gc.ca Tel: 613-952-0213 (6421)

CC: Joe Friday, Public Sector Integrity Commissioner of Canada, 60 Queen Street, Ottawa, Ontario K1P 5Y7, Telephone: 1-866-941-6400, Fax: 613-946-2151

IN THE SUPREME COURT OF CANADA FILE FD-01863

(ON APPEAL FROM)

(TORONTO ONTARIO SUPERIOR COURT OF JUSTICE (CRIMINAL), JUSTICE MORAWETZ IN FILE 17-MO-I-93)

BETWEEN: ADE OLUMIDE (APPELLANT)

AND: HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO (RESPONDENT)

MOTION RECORD

APPELLANT: Ade Olumide, , Dunrobin, ON, KOA 1T0

Tel: 613 265 6360 Fax: 613 832 2051, ade6035@gmail.com

RESPONDENT: Crown Law Office Criminal, 10th Floor, 720 Bay St., Toronto, ON M7A 2S9, Tel 416-326-4600, Fax 416-326-4656 c/o Wendy Sabean, Assistant Crown Attorney, Crown Law Office – Criminal, T: 416.326.4595 F: 416.326.4656, Wendy.Sabean@ontario.ca

IN THE SUPREME COURT OF CANADA File FD-01697

(ON APPEAL FROM)

(OTTAWA ONTARIO SUPERIOR COURT OF JUSTICE (CRIMINAL), CHIEF JUSTICE HEATHER FORSTER SMITH IN FILE 17-30442, 17-30443, 17-30444, 17-30445)

BETWEEN: ADE OLUMIDE (APPELLANT)

AND: HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO (RESPONDENT)

MOTION RECORD

APPELLANT: Ade Olumide, , Dunrobin, ON, KOA 1T0

Tel: 613 265 6360 Fax: 613 832 2051, ade6035@gmail.com

RESPONDENT: Matthew Geigen-Miller, Assistant Crown Attorney, Crown Attorney's Office, 161 Elgin St. Ottawa, Ontario K2P 2K1 Phone: 613-239-1200 Fax: 613-239-1214, Matthew.Geigen-Miller@ontario.ca

IN THE SUPREME COURT OF CANADA FILE FD-01324
(ON APPEAL FROM)

(COURT OF QUEENS BENCH OF NEW BRUNSWICK (CRIMINAL), CHIEF JUSTICE DAVID SMITH)
HER MAJESTY THE QUEEN AND ADE OLUMIDE

BETWEEN

ADE OLUMIDE (APPELLANT)
ATTORNEY GENERAL OF NEW BRUNSWICK (RESPONDENT) AND
DIRECTOR OF THE PUBLIC PROSECUTIONS OF CANADA (RESPONDENT) AND
HER MAJESTY THE QUEEN (ATTORNEY GENERAL OF CANADA) (RESPONDENT)

MOTION RECORD

Appellant: Ade Olumide, Dunrobin, Ottawa, ON, K0A 1T0
Tel: 613 265 6360 Fax: 613 832 2051, ade6035@gmail.com

Respondents: Attorney General of New Brunswick, Tel 506 856 2310, Fax 506 856 2625, Moncton Law Court, 145 Assumption Boulevard, Moncton, New Brunswick, E1C 0R2, c/o Nancy E Forbes, Q.C. Assistant Deputy AG, Office of Attorney General, Tel: 506 453 2222 Fax: 506 453 3275, nancy.forbes@gnb.ca, Luc Labonté, Assistant Deputy AG, Public Prosecutions (Branch), Tel: (506) 453-2784 Fax: (506) 453-5364, Luc.Labonte@gnb.ca, HSBC Place, P. O. Box 6000 Fredericton, NB E3B 5H1 Canada

Public Prosecution Service of Canada, George Dolhai - Acting Director of Public Prosecutions, Kathleen Roussel- Deputy Director of Public Prosecutions, 160 Elgin Street – 12th Floor Ottawa, Ontario K1A 0H8, Tel 613-957-6489 Tel: (613) 957-4770 Fax: (613) 941-7865

Attorney General of Canada, Atlantic Regional Office, Department of Justice Canada, Suite 1400, Duke Tower, 5251 Duke Street, Halifax, Nova Scotia, B3J 1P3, Tel: 902-426-3260, Fax: 902-426-7913, Tokunbo Omisade, Counsel, Department of Justice Canada, Atlantic Regional Office, Suite 1400, Duke Tower, 5251 Duke Street, Halifax, Nova Scotia, B3J 1P3, Tel : 902 426 8644 Fax : 902 426 8796

IN THE SUPREME COURT OF CANADA FILE FD-01617
(ON APPEAL FROM)

(QUEBEC SUPERIOR COURT (CRIMINAL), JUSTICE THERRIEN IN FILE 550-36-000021-178)

BETWEEN:

ADE OLUMIDE (APPELLANT)

AND:

ATTORNEY GENERAL OF QUEBEC (RESPONDENT)

MOTION RECORD

APPELLANT: Ade Olumide, , Dunrobin, ON, KOA 1T0
Tel: 613 265 6360 Fax: 613 832 2051, ade6035@gmail.com

RESPONDENT: Attorney General of Quebec c/o Sandra Bonanno Director, Procureure aux poursuites criminelles et penales 17 rue Laurier, #1.230, Gatineau, J8X 4C1 Tel 819-776-8111 x60412 Telec: 819 772 3986 sandra.bonanno@dpcp.gouv.qc.ca

IN THE SUPREME COURT OF CANADA FILE FD-01464
(ON APPEAL FROM)

(BC SUPREME COURT (CRIMINAL), MEMBER OF CANADIAN JUDICIAL COUNCIL ASSOCIATE CHIEF JUSTICE CULLEN IN FILE 27229-1)

BETWEEN:

ADE OLUMIDE (APPELLANT)

AND:

ATTORNEY GENERAL OF BRITISH COLUMBIA (RESPONDENT)

MOTION RECORD

APPELLANT: Ade Olumide, , Dunrobin, ON, KOA 1T0
Tel: 613 265 6360 Fax: 613 832 2051, ade6035@gmail.com

RESPONDENT: Attorney General of British Columbia, c/o Richard Fyfe, QC, Deputy Attorney General, c/o Lesley Ruzicka, Crown Law Division, 3rd Floor, 940 Blanshard Street, Victoria, BC, V8W 3E6, Phone 250 387 5153 Fax 250 387 4262, lesley.ruzicka@gov.bc.ca

IN THE SUPREME COURT OF CANADA FILE FD-01287
(ON APPEAL FROM)

**(OTTAWA ONTARIO SUPERIOR COURT OF JUSTICE (CRIMINAL), JUSTICE CHARLES HACKLAND
FILE 2017 ONSC 1201**

BETWEEN: ADE OLUMIDE (APPELLANT)
AND: HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO (the "Crown) RESPONDENT

MOTION RECORD

APPELLANT: Ade Olumide, , Dunrobin, ON, KOA 1T0
Tel: 613 265 6360 Fax: 613 832 2051, ade6035@gmail.com

RESPONDENT: Her Majesty The Queen In Right Of The Province Of Ontario (The "Crown"), Attorney General of Ontario, Ministry of the Attorney General, Crown Law Office Criminal, 10th Floor, 720 Bay St., Toronto, ON M7A 2S9, Phone: 416-326-4600, Fax: 416-326-4656
robert.s.thomson@ontario.ca

IN THE SUPREME COURT OF CANADA FD-01287
(ON APPEAL FROM)

**(PETERBOROUGH ONTARIO SUPERIOR COURT OF JUSTICE (CRIMINAL), JUSTICE DAVID SALMERS
IN FILE CR-17-00000001-00M0)**

BETWEEN: ADE OLUMIDE (APPELLANT)
AND: HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO (the "Crown) RESPONDENT

MOTION RECORD

APPELLANT: Ade Olumide, , Dunrobin, ON, KOA 1T0 Tel: 613 265 6360 Fax: 613 832 2051,
ade6035@gmail.com

RESPONDENT: Her Majesty The Queen In Right Of Ontario (The "Crown"), Attorney General, Ministry of Attorney General, Crown Law Office Criminal, 10th Floor, 720 Bay St., Toronto, ON M7A 2S9, Phone: 416-326-4600, Fax: 416-326-4656 frank.schwalm@ontario.ca

IN THE SUPREME COURT OF CANADA FILE 01463
(ON APPEAL FROM)

**(TORONTO ONTARIO SUPERIOR COURT OF JUSTICE (CRIMINAL), JUSTICE CLARK IN FILE 17-MOT-
1-93)**

BETWEEN: ADE OLUMIDE (APPELLANT)
AND: HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO (RESPONDENT)

MOTION RECORD

APPELLANT: Ade Olumide, , Dunrobin, ON, KOA 1T0
Tel: 613 265 6360 Fax: 613 832 2051, ade6035@gmail.com

RESPONDENT: Her Majesty The Queen In Right Of Ontario (The "Crown"), Attorney General, Ministry of Attorney General, Crown Law Office Criminal, 10th Floor, 720 Bay St., Toronto, ON M7A 2S9, Phone: 416-326-4600, Fax: 416-326-4656 c/o Crown Counsel, Karen Papadopoulos, T: 416.326.4595 F: 416.326.4656, karen.Papadopoulos@ontario.ca

IN THE SUPREME COURT OF CANADA FILE FD-01647
(ON APPEAL FROM)

(ALBERTA COURT OF QUEEN'S BENCH (CRIMINAL), JUSTICE GATES IN FILE 170510184X1)

BETWEEN: *ADE OLUMIDE* (APPELLANT)

AND: HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA (RESPONDENT)

MOTION RECORD

APPELLANT: Ade Olumide, , Dunrobin, ON, KOA 1T0
Tel: 613 265 6360 Fax: 613 832 2051, ade6035@gmail.com

RESPONDENT: David A Labrenz, Q.C. Appellate Counsel, Appeals Unit, Crown Prosecutor Criminal, 600 Centrium Place, 332 - 6 Avenue SW, Calgary, AB T2P 0B2, Telephone: 403-297-8444 Fax: 403-297-4311,
JSG-ACPS.CalgaryProsecutions@gov.ab.ca, calgaryprosecutions@gov.ab.ca

WITH SERVICE OF NOTICE OF CONSTITUTIONAL QUESTION TO;

Attorney General of Canada, c/o Daniel Caron, Department of Justice, 50 O'Connor Street, 5th Floor
Ottawa, Ontario K1A 0H8 Tel: 613 670 8515 Fax 613 954 1920, Daniel.Caron@justice.gc.ca

Attorney General "AG" of Ontario, Ministry of the Attorney General, McMurtry-Scott Building, 720
Bay Street, 11th Floor, Toronto, ON, M7A2S9, Fax: 416-326-4007

AG of Nova Scotia, PO Box 7, Halifax, Nova Scotia B3J 2L6 Ph (902) 424-4030 Fax: 902 424 1730

Attorney General of New Brunswick, Chancery Place, P. O. Box 6000, Fredericton, NB, E3B 5H1, 675
King Street, Fredericton, New Brunswick, E3B 1E9 Fax: (506) 453-3651

Attorney General of Manitoba, 1205 – 450 Broadway, Winnipeg, MB R3C 3L6, Fax : 204 945 2517

Attorney General of Saskatchewan, 820 – 1874 Scarth Street, Regina, SK S4P 4B3, Fax: 306 787 9111

AG of Northwest Territories, PO Box 1320, Yellowknife, NT X1A 2L9, Fax 827 873 0234

AG of Nunavut, Court House PO Bag 1000, Stn 500 Iqaluit, NU X0A 0H0 Fax 867 975 6195

AG of Newfoundland and Labrador, 4th Fl. East Block, St John's NL A1B 4J6 Fax 709 729 2129

AG of British Columbia, PO Box 9280 Stn. Prov Govt, Victoria, BC V8W 9J7, Fax 250 356 9154

Attorney General of Quebec, 1200 Rue De l'Eglise 2nd Etage, Quebec, G1V 4M1, 418 644 7030

AG of Alberta, 9833-109th St. NW, 4th Floor, Edmonton, AB, T5K 2E8 Fax 780 425 0307

Attorney General of Yukon, Department of Justice Canada, 310-300 Main Street, Whitehorse, Yukon Y1A
2B5, Tel 867 -393-7950 Fax 867 667 3934

TAKE NOTICE that an attorney general who intends to intervene with respect to this constitutional question may do so by serving a notice of intervention in Form 33C on all other parties and filing the notice with the Registrar of the Supreme Court of Canada within four weeks after the day on which this notice is served.

AND TAKE NOTICE THAT THIS MOTION IS PURSUANT;

Supreme Court Act 2, 3, 15, 20, 35, 51(2b), 56, 58, 61, s97, “judgment” “appeal” “final judgment” “court appealed from” “judgment” “judicial proceeding” “Supreme Court” “Appellate Jurisdiction throughout Canada 35” Supreme Court “SC” Rules 3, 8, 12, 19, 33, 47, 48, 78.

AND TAKE NOTICE THAT This Rule 78(1) Appeal Of Registrar’s Decision To Use

Unconstitutional Legislation / Rules To Violate The Constitution And 21b, S22.2, 25.1(9)(11b), s139(1)(2)(3a), 341, 362, S380(1a) Criminal Code Shall Be Heard By The Supreme Court Chief Justice Richard Wagner Or A Supreme Court Judge Who Is Not In A Conflict Of Interest;

Objects, 16 Canadian Victims Bill Of Rights S.C. 2015, C. 13, S. 2

Preamble, Whereas crime has a **harmful impact** on victims and on society;

Whereas victims of crime and their families deserve to be treated with **courtesy, compassion and respect, including respect for their dignity**;

Whereas it is important that **victims’ rights be considered throughout the criminal justice system**;

Whereas victims of crime have **rights that are guaranteed by the Canadian Charter of Rights and Freedoms**; Whereas consideration of the rights of victims of crime is in the interest of the **proper administration of justice**;

...Restitution order 16 Every victim has the **right to have the court consider making a restitution order** against the offender.

Garland v. Consumers’ Gas Co., [2004] 1 S.C.R. 629, 2004 SCC 25, 52...Criminal Code are intra vires the level of government that enacted them...overriding public policy consideration in this case is the fact that the LPPs were collected in contravention of the Criminal Code. As a matter of public policy, **a criminal should not be permitted to keep the proceeds of his crime.**

Allard v. Canada, 2016-02-24, 2016 FC 236, T-2030-13...principles of fundamental justice ...overbreadth... gross disproportionality ... a law that takes away rights in a way that generally supports the object of the law, goes too far by denying the rights of some individuals in a way that **bears no relation to the object...grossly disproportionate** effect on one person is sufficient to violate the norm... effect ... undermines the objective”

Equality **under the law** is equality in the substance of the law ... so that **everyone experiences the same result**. Equal benefit of the law ensures that benefits imposed by law will be proportionate. **Equal protection** of the law ensure that the protections imposed by law will be proportionate so that the **human dignity** of every person is equally safeguarded by the law. Iacobucci J. in Law v. Canada, [1999]),

JTI-Macdonald Corp. v. AGBC, 2000 BCSC 312 (CanLII) THE RULE OF LAW [118] That unwritten constitutional principles form part of the fabric of the Canadian Constitution is clear. As expressed by Chief Justice Lamer, the provisions of the preamble to the [Constitution Act, 1867](#) provide "**organizing principles**" that may be used to "**fill out gaps** in the express terms of the constitutional scheme

....[136] The principle of the sovereignty of Parliament requires **judicial obedience to the strict terms of the statute**. In the process of applying a statute, however, **uncertainties concerning its scope or effect in particular circumstances are bound to arise**. The rule of law requires that these uncertainties be resolved, so far as possible, in a manner which would most **conform to the reasonable understanding of the subject to whom the statute is primarily addressed**. Implicit in this understanding is the expectation that **Parliament will conform to the generally accepted notions of fairness and justice** -- that punishment will not be authorized for acts which were not known to be unlawful when committed, that vested rights will not be destroyed without reasonable compensation, that the **powers of officials are to be limited by proper respect for the liberty of the citizen**. "If the words are not conclusive in themselves, the reasonableness or otherwise of the construction contended for has always been recognized as a **matter fairly** to be taken in account" ..147] ... one law for all" concept based on the rule of law providing the law be supreme over both the acts of government and private persons:...[228]... The process of interpreting a statutory provision that is susceptible of more than one meaning was traditionally governed by the basic precept that the Court's function is to **discover the intention of the legislature**. In a case in which the ordinary rules of construction yield two equally plausible meanings, policy considerations are a factor in resolving the conflict. In constitutional cases before the **Charter** this was reflected in the practice of interpreting statutes by applying a presumption that **a legislative body does not intend to exceed its powers under the Constitution**.

“RWDSU v. Dolphin Delivery Ltd., [1986] 2 SCR 573, 1986 CanLII 5 (SCC) **Charter** will apply to any rule of the common law that ...directs an abridgement of a guaranteed right...**if an...order would infringe a Charter right, the Charter will apply to preclude the order, .. by .. implication, to modify the common law rule...**”

Gosselin v. Québec (Attorney General), [2002] 4 SCR 429, 2002 SCC 84... By enacting the Social Aid Act, the Quebec government triggered a state obligation...C. Negative vs. Positive Rights and the Requirement of State Action [319] ... rights include a positive dimension, such that they are not merely rights of non-interference but also what might be described as rights of “performance”, then they may be violable by mere inaction....

Roncarelli v. Duplessis 1959 CanLII 50 (SCC), [1959] S.C.R. 121,**there is no such thing as absolute and untrammelled "discretion"**, that is that action can be taken on **any ground or for any reason** ...; no legislative Act can... be taken to contemplate an unlimited arbitrary power exercisable for any purpose, however capricious .. regardless of the nature or purpose of the statute."Discretion" necessarily implies good faith in discharging public duty; ... **any clear departure from its lines or objects is just as objectionable as fraud or corruption**.

Freeman v. Canada (Citizenship and Immigration), 2013-10-23, 2013 FC 1065, IMM-6304-12, “good faith” means “... **carrying out the statute according to its intent and for its purpose**; ... not with an **improper intent** ... “good faith” does not mean ... **punishing a person for exercising an unchallengeable right**” and “**it does not mean arbitrarily and illegally attempting to divest a citizen of an incident of his civil status**”... “acts that are so ... inconsistent with ... legislative context that a court cannot ...conclude that they were performed in good faith”. ... evidence of bad faith is not required. It can... be inferred from the **surrounding circumstances**... that **absence of good faith can be deduced and bad faith presumed**”:

Constitution Acts, 1867 to 1982 52(1) states “Any law inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect”

S11 s12 s13 s21(1a,d) s34 Canada Interpretations Act, 41, 41.2 Quebec Interpretation Act, 8, 17 BC Interpretation Act, 1, 15, 17 NB Interpretation Act, s10 Ontario Interpretation Act, s10 Alberta Interpretation Act, 46(2) Federal Courts Act, 97(2) Supreme Courts Act, 96(2) Ontario Courts Justice Act

s9 s10 s12 s15 s24 Charter of Rights and Freedoms, objects s4, 10, 12, 23 Quebec Charter of Rights, s1a,b, 2, 3 Alberta Bill Of Rights,

objects, s16 Canada Victims Bill of Rights, s2 Alberta Victims of Crimes Act,

s2(b,e) Canadian Bill Of Rights against criminals' revictimization of victim principle of fundamental justice,

rule of law right to self defence against ongoing crimes

s9, 89 and 180 Oath Quebec Courts Justice Act, s80 Oath Ontario Courts Justice Act, s9 Oath Federal Courts Act, s10 Oath Supreme Courts Act

APPELLANT SEEKS DECLARATIONS THAT;

1. Whereas rule 78(3) is unconstitutionally overbroad because it allows the Registrar to act in bad faith abuse of process to do indirectly [use s15, 97(1c) Supreme Court Act 8(2), 19(2), 73(4) Rules] what cannot be done directly [defraud 52(1) Constitution Acts, 1867 to 1982, s24 Charter of Rights].

2. Whereas the Chief Justice Richard Wagner has no immunity if he permits Registrar Roger Bilodeau to act without jurisdiction by using s685 Criminal Code, s15, 58(1b), 97(1c) Supreme Court Act 8(2), 19(2), 33(1d), 73(4), 78(3) Rules without deciding the constitutionality of s685 Criminal Code, s15, 58(1b), 97(1c) Supreme Court Act 8(2), 19(2), 33(1d), 73(4), 78(3) Rules, any letter refusing to issue Notices of Appeal in files FD-01863, FD-01697, FD-01324, FD-01617, FD-01464, FD-01287, FD-01287, FD 01463, FD-01647, are void abinitio due to lack of jurisdiction.

3. Whereas two tier Criminal Code s504 s507.1 s540 S551.3(1g Charter) s784 Supreme Court Act s3 s35 process is beyond registrar's jurisdiction, breach of equality under law ^{Jacobucci J. in Law v. Canada, [1999]),}

4. Whereas the discriminatory use of s685 to exceed s685 “no substantial grounds of appeal” jurisdiction AND defraud s685 unconstitutionally overbroad Constitutional Question AND in Canadian history, except in Ade Olumide, s685 has never been applied except in 14 lack of jurisdiction cases, therefore an equality under the law positive obligation to reverse the burden of proof is engaged,
5. Whereas s504 S507.1 is a ministerial duty, it is not a judicial duty, no JP can refuse
6. Whereas s504 S507.1 is found in Parts XVI of the Criminal Code, and s685 is found in PART XXI which implies first instance trial on the merits by a judge or jury,
7. Whereas no judge or JP has Constitution Acts 1867 to 1982 Legislative Authority of Parliament of Canada 91 ‘Criminal Law... including the **Procedure in Criminal Matters**’ jurisdiction to target Olumide by defrauding Criminal Code s2 “prosecutor”, s482(1)(3), s507.1, s504, s540, s551.2, s551.3(1g Charter), s683(2), s802(1) process in order to facilitate ongoing crimes.
8. Whereas no judge or JP has immunity from Criminal Code s21b party to offence, s22 person counselling, s22.2 organization party to offence, s25.1(9)(11b) public officer offence, s139 obstruction of justice, s265(1a,b)(3c,d) assault, s346(1.1b) extortion, s380(1a) fraud, s341, s423.1(b) intimidation,
9. Whereas Roger Bilodeau Supreme Court Registrar is a Government Of Canada employee with an s9 s10 s12 s15 Charter duty of care to the appellant, ongoing refusal to issue 8 criminal Proceedings Notices of Appeal or hear the constitutional question, is void abinitio for lack of jurisdiction.
10. Whereas the rule of law against arbitrary statutory interpretation means; s685 Criminal Code, s15, 58(1b), 97(1c) Supreme Court Act 8(2), 19(2), 33(1d), 73(4), 78(3) Rules cannot be used to breach objects of Supreme Court Act, this is codified in s97(2)(3) Supreme Court Act, s11 s12 s13 s21(1a,d) s34 Canada Interpretations Act, 41, 41.2 Quebec Interpretation Act CI-16, 8, 17 BC Interpretation Act,

1, 15, 17 NB Interpretation Act, s10 Ontario Interpretation Act, s10 Alberta Interpretation Act, 46(2) Federal Courts Act, 97(2) Supreme Courts Act, 96(2) Ontario Courts Justice Act.

11. Whereas s2 objects, s9, s10 s16 Canada Victims Bill of Rights is a Supreme Court Act objects

12. Whereas using s685 Criminal Code, s15, 58(1b), 97(1c) Supreme Court Act 8(2), 19(2), 33(1d), 73(4), 78(3) Rules to breach s12 Criminal Code is bad faith, because criminals retain proceeds of crime,

13. Whereas “[36] if ..order would infringe a Charter right, the Charter will apply to preclude the order,... courts are..bound by the Charter" ^{RWDSU v Dolphin Delivery Ltd[1986] 2 SCR573, 1986 SCC} is binding on the Registrar’s rule of law use of s685 Criminal Code, s15, 58(1b), 97(1c) Supreme Court Act 8(2), 19(2), 33(1d), 73(4), 78(3) Rules.

14. Whereas s685 Criminal Code, s15, 58(1b), 97(1c) Supreme Court Act 8(2), 19(2), 33(1d), 73(4), 78(3) Rules cannot be used to violate;

- I. Positive Obligations; Preamble objects Charter of Rights s9, s10, s12 s15 “10. Everyone has the right on arrest .. (a) to be informed promptly of the **reasons therefor**”, Preamble objects Canadian Bill of Rights s1(a,b,e), s2(a,b,c,e), 2 “(c) deprive a person who has been arrested .. (i) of the right to be informed promptly of **the reason for his arrest ..**”, UN International Covenant on Civil and Political Rights (ICCPR) [Article 9; 1. Everyone has the right to .. security of person. No one shall be subjected to arbitrary arrest ... 2. Anyone who is arrested shall be informed, .. of **the reasons for his arrest ..**](#), Freeman v. Canada (Citizenship and Immigration), 2013-10-23, 2013 FC 1065, “good faith” does not mean ... **punishing a person for exercising an unchallengeable right**”, Canada Victims Bill Of Rights ..Whereas victims of crime ..deserve .. **courtesy, compassion and respect, including respect for their dignity;**.. 9 Every victim has the right to have their **security** considered by the appropriate authorities.. 10 Every victim has the

right to have reasonable and necessary measures taken by the appropriate authorities in the criminal justice system to protect the victim from **intimidation** and retaliation.

II. Rule Of Law s2(b,e) Canadian Bill Of Rights Against Criminals' Revictimization Of Victim Principle Of Fundamental Justice which is tested by adapting R. v. Smith (Edward Dewey), [1987] 1 SCR 1045 s12 Charter cruel treatment test; 21b party to arrest, assault, ongoing tax fraud predominant causation for political career destruction / loss of job / loss of home / \$100,000 costs reprisals (treatment) to revictimize a victim fraud; goes beyond what is necessary to achieve a legitimate Interpretations Act objective, is unacceptable to a large segment of the population, does not have any social purpose such as reformation, rehabilitation or deterrence, does not accord with public standards of decency or propriety, is of such a character as to shock general conscience, is unusually severe, degrading to dignity and worth

III. **Inalienable natural constitutional rule of law right to s504 s507.1 s551.3(1g Charter) private prosecution self-defence** against revictimize the victim of racist crimes that include deliberate no evidence of racism falsehoods, tax fraud, arrest, assault, extortion, through online stories that perpetually attack the dignity, honour and reputation of applicant, family and descendants, as codified in the UN International Covenant on Civil and Political Rights (ICCPR) Article 17; Universal Declaration of Human Rights Article 12.; "No one shall be subjected to arbitrary interference with his .. family, .. nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks." s4 Quebec Charter "Every person has a right to the safeguard of his dignity, honour and reputation".

S685 Criminal Code is unconstitutionally overbroad ^{Allard v. Canada, 2016-02-24, 2016 FC 236, T-2030-13}, it shall read in, "if a Court of Appeal lacks jurisdiction and...", in the alternative s685 is read down and the AG shall have 6 months to remedy s685.

S15 Supreme Court Act is unconstitutionally overbroad it shall read in as follows; “15 Subject to the Constitution of Canada and direction of the Chief Justice the Registrar shall superintend ...”, in the alternative s15 is read down and the AG shall have 6 months to remedy s15.

S58 (1b) Supreme Court Act is unconstitutionally overbroad it shall read in as follows; 58(1)(b) in the case of an appeal for which leave to appeal is not required includes any unfulfilled criminal code appeal for which leave to appeal is not required, in the alternative s58(1b) is read down and the AG shall have 6 months to remedy s58(1b).

S97(1c) Supreme Court Act is unconstitutionally overbroad it shall read in as follows; “97(1)(c) for empowering the Registrar to subject to the Constitution of Canada do any such thing and transact any such business as is specified in the rules or orders, and to exercise any authority and jurisdiction in respect of the rules or orders as may be done,” in the alternative s97(1c) is read down and the AG shall have 6 months to remedy s97(1c).

S8(2) Supreme Court Rules is unconstitutionally overbroad it shall read in as follows; “8(2) The Court, a judge or the Registrar may subject to s97(1c)(2)(3) Supreme Court Act refuse a document that does not comply with these Rules ...“ in the alternative 8(2) is read down, SC has 6 months to remedy s8(2).

S19(2) Supreme Court Rules is unconstitutionally overbroad it shall read in as follows; “19(2) On receipt of a document, the Registrar may subject to s97(1c)(2)(3) Supreme Court Act (a) accept or reject the document for filing;” in the alternative 19(2) is read down, SC shall have 6 months to remedy s19(2).

S33(1d) Supreme Court Rules is unconstitutionally overbroad it shall read in as follows; “33(1) A notice of appeal ... shall (b) set out the legislative provisions that authorize the appeal;(d) in the case of all other appeals for which leave to appeal is not required includes any unfulfilled criminal code appeal for

which leave to appeal is not required, “in the alternative 33(1d) is read down, SC has 6 months to remedy s33(1d).

S78(3) Supreme Court Rules is unconstitutionally overbroad it shall read in as follows; “78 (3) subject to s97(1c)(2)(3) Supreme Court Act ..Registrar’s decision to refuse to accept a document under .. 8(2) or

73(4) is not an order” in the alternative S78(3) is read down, SC shall have 6 months to remedy S78(4).

S73(4) Supreme Court Rules is unconstitutionally overbroad it shall read in as follows; “73 (4) The Registrar may subject to s97(1c)(2)(3) Supreme Court Act ~~shall~~ refuse to accept a motion for reconsideration ..” in the alternative S73(4) is read down, SC shall have 6 months to remedy S73(4).

II. An order in the nature of mandamus on Registrar Roger Bilodeau is hereby granted, the registrar shall issue the s784 Criminal Code Notices of Appeal.

GROUNDINGS

- i) Preamble objects Charter of Rights s7 s9, s10, s12 s15 positive obligation ^{Gosselin v. Québec (Attorney General), [2002] 4 SCR 429}
- j) Preamble objects Canadian Bill of Rights s1(a,b,e), s2(a,b,c,e) positive obligation ^{Gosselin v. Québec (Attorney General), [2002] 4 SCR 429}
- k) rule of law that “[61]..inherent jurisdiction..is not.. to empower a judge..to make an order negating... legislative will" ^{Verge Insurance Brokers Limited et al. v Richard Sherk et al., 2015 ONSC 4044},
- l) “[136] rule of law...vested rights will not be destroyed” without remedy ^{JTI-Macdonald Corp. v. AGBC, 2000 BCSC 312} which is codified in objects s2 objects, s9, s10, s16 Canada Victims Bill of Rights

- m) Rule of law that “[36] if ..order would infringe a Charter right, the Charter will apply to preclude the order,... courts are..bound by the Charter” *RWDSU v Dolphin Delivery Ltd*[1986] 2 SCR573, 1986 SCC ,
- n) rule of law against bad faith *Freeman v. Canada (Citizenship)* 2013 FC1065 IMM-6304-12, *Roncarelli v. Duplessis* (SCC) [1959] S.C.R. 121 arbitrary (contrary to objects) *Allard v. Canada*, 2016 FC 236 use of public power,
- o) Rule of law that “**a criminal should not be permitted to keep the proceeds of his crime**”,
- p) *Rizzo & Rizzo Shoes Ltd. (Re)*, [1998] 1 SCR 27, 1998 CanLII 837 (SCC) 27 consequences...are **incompatible with both the object of the Act**..It is a well established principle of statutory interpretation that the legislature does not intend to produce **absurd consequences**. According to Côté, supra, an interpretation can be considered absurd if it leads to **ridiculous or frivolous consequences, if it is extremely unreasonable or inequitable, if it is illogical or incoherent, or if it is incompatible with other provisions or with the object** of the legislative enactment ... Sullivan echoes these comments noting that a label of **absurdity** can be attached to interpretations which **defeat the purpose of a statute** or render some aspect of it pointless or futile ...

APPELLANT WILL RELY ON;

- 1) https://adeolumideonline.files.wordpress.com/2018/01/openletter_criminal-proceedings_supremecourtchiefjustice.pdf
- 2) Enclosed Amended Notice of Motion and Constitutional Question To Supreme Court Chief Justice
- 3) Filed Notice of Motion and Constitutional Question (Criminal)To Supreme Court Registrar
- 4) BC Court of Appeal, Appeal Record and Factum For Criminal BC Supreme Court File 27229-1
- 5) Notice of Appeal Ontario Superior Court (Criminal) File 17-30442, 17-30443, 17-30444, 17-30445
(**Registrar** In “Highest Court Of Final Resort In A Province” Acted Without Jurisdiction In Bad Faith To Remove s784 Criminal Code Appeal Re Prosecution of Office of Auditor General of Canada)
- 6) Notice of Appeal Alberta Court Of Queen’s Bench (Criminal) 170510184X1 (“**Highest Court** Of Final Resort In A Province” Exceeded s685 “No Substantial Ground Of Appeal” Jurisdiction In Bad Faith, Abused The Court Process To Remove s24 Charter right to s685 Constitutional Question / s784 Criminal Code Appeal Re Prosecution of Canadian Judicial Council Member AB Court Of Queen’s Bench)

- 7) Notice of Appeal Quebec Superior Court (Criminal) 550-36-000021-178 (“**Highest Court** Of Final Resort In A Province” Exceeded s685 “No Substantial Ground Of Appeal” Jurisdiction In Bad Faith, Abused The Court Process To Remove s24 Charter right to s685 Constitutional Question / s784 Criminal Code Appeal Re Prosecution of Canadian Judicial Council Member Quebec Superior Court)
- 8) Notice of Appeal New Brunswick Court of Queen’s Bench (Criminal) File (**Registrar** In “Highest Court Of Final Resort In A Province” Acted Without Jurisdiction In Bad Faith To Remove s784 Criminal Code Appeal Re Prosecution of Canadian Judicial Council Member NBCQB)
- 9) Notice of Appeal BC Supreme Court (Criminal) File 27229-1 (“**Highest Court** Of Final Resort In A Province” Exceeded s685 “No Substantial Ground Of Appeal” Jurisdiction In Bad Faith To Remove s784 Appeal Re Prosecution of Canadian Judicial Council Member BC Supreme Court)
- 10) Notice of Appeal Ontario Superior Court (Criminal) File 17-MOT-1-93 (**Registrar** In “Highest Court Of Final Resort In A Province” Acted Without Jurisdiction In Bad Faith To Remove s784 Criminal Code Appeal Re Prosecution of Office of Public Sector Integrity Commissioner)
- 11) Notice of Appeal Ontario Superior Court (Criminal) File 17-MOT-1-93 (**Registrar** In “Highest Court Of Final Resort In A Province” Acted Without Jurisdiction In Bad Faith To Remove s784 Criminal Code Appeal Re Prosecution of Office of Public Sector Integrity Commissioner)
- 12) Notice of Appeal Ontario Superior Court (Criminal) File CR-17-00000001-00M0 (“**Highest Court** Of Final Resort In A Province” Acted Without Jurisdiction In Bad Faith To Remove s784 Criminal Code Appeal Re Prosecution of Ontario Court of Appeal)
- 13) Notice of Appeal Ontario Superior Court (Criminal) File 16-30604, (“**Highest Court** Of Final Resort In A Province” Acted Without Jurisdiction In Bad Faith To Remove s784 Criminal Code Appeal Re Prosecution of Canadian Judicial Council)

SIGNED BY ~~February 13,~~ April 10, 2018 By APPELLANT: Ade Olumide, , Dunrobin, ON, K0A 1T0, Tel: 613 265 6360 Fax: 613 832 2051, ade6035@gmail.com