

Federal Court of Appeal



Cour d'appel fédérale

Date: 20221018

Docket: A-337-21

Ottawa, Ontario, October 18, 2022

**Coram: STRATAS J.A.
LASKIN J.A.
RIVOALEN J.A.**

BETWEEN:

DALE J. RICHARDSON

Appellant

and

**THE ATTORNEY GENERAL OF CANADA, SEVENTH-DAY
ADVENTIST CHURCH, DEREK ALLCHURCH, MATRIX LAW GROUP,
CLIFFORD HOLM, PATRICIA J. MEIKLEJOHN, CHANTELLE
THOMPSON, JENNIFER SCHMIDT, MARK CLEMENTS, CHAD
GARTNER, BRAD APPEL, IAN MCARTHUR, BRYCE BOHUN, KATHY
IRWIN, JASON PANCHYSHYN, CARY RANSOME, SASKATCHEWAN
HEALTH AUTHORITY, JILL COOK, GLEN METIVER, JUSTICE R.W.
ELSON, OWZW LAWYERS LLP, VIRGIL A. THOMSON,
HONOURABLE JUDGE PELLETIER, EMI HOLM, CHAR BLAIR,
CANADIAN MOUNTED POLICE, JUSTICE R.W. ELSON and
KIMBERLEY RICHARDSON**

Respondent

ORDER

WHEREAS this Court issued a notice of status review dated August 29, 2022;

AND WHEREAS that notice required the appellant to serve and file submissions as to why the appeal should not be dismissed for delay;

AND WHEREAS that notice also required the appellant to provide “an explanation as to why the appellant has not complied with the Court’s Order of May 11, 2022”;

AND WHEREAS that notice also required the appellant to provide “an explanation as to why the appellant has not complied with the Court’s Order of May 11, 2022”;

AND WHEREAS the deadline for those submissions was September 28, 2022;

AND WHEREAS, by direction dated September 23, 2022, the appellant was reminded that his submissions were due on September 28, 2022; and that direction warned him that failure to file submissions by that time would result in the dismissal of this appeal without further notice to him;

AND WHEREAS, although the Court is satisfied that the notice of status review has come to the appellant’s attention, the appellant has failed to serve and file his submissions;

AND WHEREAS the delay in this appeal is not acceptable and warrants a dismissal of the appeal;

AND WHEREAS the notice of appeal and the appellant’s failure to explain his non-compliance with the Court’s Order of May 11, 2022 call for the Court’s response under Rule 55; accordingly, in these special circumstances, the Court is of the view that appellant should not be allowed to invoke the power of this Court under the *Federal Courts Rules* to reconsider, amend and vary this Order;

THIS COURT ORDERS that the appeal is dismissed. This Order shall not be subject to reconsideration, amendment or variation and any request for same by any person shall not be filed.

“David Stratas”

J.A.

“JBL”

“MR”