

# In The Supreme Court of Canada

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ON APPEAL FROM THE COURT OF APPEAL FOR SASKATCHEWAN

**BETWEEN**

DALE RICHARDSON

*Applicant,*

**AND**

v

KIMBERLEY A. RICHARDSON.

Respondent

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**Application for Leave to Appeal**

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DALE RICHARDSON  
1292 95<sup>th</sup> St.,  
North Battleford, SK S9A 0G2, Canada  
Tel: 1 306 441-7010  
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**(DUE TO SAFETY CONCERNS EMAIL AND FAX SERVICE ONLY)**

KIMBERLEY A. RICHARDSON      Respondent (Non-Party)

**Matrix Law Group LLP**

Patricia J. Meiklejohn, Counsel for the Respondents

1421 101 Street,

North Battleford SK, S9A 1A1

Tel: 1 306 445-7300

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## DOCUMENTS IN SUPPORT

## APPENDIX A

- Affidavit of Dispensing with Service of Dale J. Richardson Affirmed April 4, 2022;
- Affidavit of Dispensing with Service Dale J. Richardson Affirmed September 2, 2022;
- Affidavit of Dale J. Richardson, Affirmed November 18 of 2022;
- Affidavit of Dale J. Richardson Affirmed January of 2023;
- SCC letter 06-12-2022 W Attachments;
- Leave to Appeal CACV4048 Dated July 25, 2022
- Emergency Relief Affidavit Dated July 18 2022 (Fax copy)
- Application for Writ of Mandamus and Prohibition dated September 5, 2022;
- Notice of Appeal CACV4048 dated July 24, 2022 and proof of approval and payment;
- Hearing Notice Pursuant to Rule 46.3(1) submitted by Amy Groothius October 3, 2022
- Hearing Notice Pursuant to Rule 46.3(1) Submitted by Amy Groothius October 3, 2022

FORM 25

NOTICE OF APPLICATION FOR LEAVE TO APPEAL

Article 2, 13 of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

Section 11(1)(a),(b),(c),(3),(4), 12(1), (3), 16(1),(2),(3), (4), (5) of the Divorce Act;

Article 1-33 of the Rome Statute of the International Criminal Court,

the Crimes against Humanity and War Crimes Act,

Section 83.01(b), 219, 229(6),(6.01), (6.1), 269.1, 279.01, 279.011, 380(1), 463 and 465 of the Criminal Code of Canada,

Section 18, 84, 97(1), 99.1, 101.1(1), 107, 109(1), 110, 111, 112, 117(1), 131, 143(1), 144, 146 of the Land Titles Act (SK),

Section 40(1), 55 of the Supreme Court Act,

**TAKE NOTICE** that Dale Richardson applies for leave to appeal to the Supreme Court of Canada, under Section 40(1), 44, 55 Supreme Court Act, Article 2, 12, 13 of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment from the judgment of the Court of Appeal for Saskatchewan 2022 SKCA 133 made on December 9, 2022 for a judgment made on CACV3745, CACV3798 and CACV4048 of a matter that contained indisputable evidence of treason and bioterrorism against Canada, the United States, crimes against humanity, torture, and numerous other crimes committed in and outside of the courts based on an engineering report that was determined without any expert testimony to the contrary by any party outside of the Applicant; and there was explicit fraud committed by the Court of Appeal for Saskatchewan to deprive the Applicant of his children and economic security and cause the aforementioned crimes and other crimes listed hereunder without limitation;

**AND FURTHER TAKE NOTICE** that this application is made on the following grounds:

The Court of Appeal for Saskatchewan contains rogue agents acting against the will of the people of Canada by assisting actors in the United States to commit treason against the United States and effecting the same actions in Canada.

The Court of Appeal for Saskatchewan judges attempted to place two separate matters together based on an engineering report they lacked the capacity to make a determination on without any person who possessed lawful capacity to advise them to do so.

The Court of Appeal for Saskatchewan allowed the Attorney General of Canada to represent the interests of private citizens and the and a Saskatchewan corporation in direct violation of the Constitution Act 1867 and deliberately permitted federal encroachment into matters of provincial jurisdiction.

Amy Groothius of the Court of Appeal for Saskatchewan has abused her position as Registrar to take revenge on the Applicant for exercising his lawful right to protect himself from her crimes against him and her commission of numerous crimes against him and the his daughters.

The Court of Appeal for Saskatchewan judges ruled in favour of parties that presented no evidence to support their position.

The Court of Appeal for Saskatchewan judges did not examine the 12 points of mandamus that were articulated in the documentation that was clearly written.

The Court of Appeal for Saskatchewan judges lacked jurisdiction from being named as perpetrators and violated the Canadian Victims Bill of Rights.

The Court of Appeal for Saskatchewan judges had an extreme conflict of interest being colleagues of parties named as perpetrators.

The Court of Appeal for Saskatchewan judges lacked jurisdiction from participating in criminal activity while sitting as a judge contrary to the Judges Act.

The Court of Appeal for Saskatchewan judges lacked jurisdiction from engaging in unauthorized practice of mechanical engineering and/or mechanical engineering technology while sitting as a judge contrary to the Judges Act.

The Court of Appeal for Saskatchewan ignored evidence of parties in Canada assisting actors in the United States to commit treason against the United States.

The Court of Appeal for Saskatchewan used power to shield the Respondents treasonous activity, child trafficking for the purposes of financial and sexual exploitation, human trafficking, fraud, bioterrorism, involvement in Crimes against Humanity and other crimes without limitation.

The Court of Appeal for Saskatchewan ignored the Applicant's complaint of torture involving numerous parties in Canada and the United States.

The Court of Appeal for Saskatchewan exercised an expert opinion over that of the Applicant who is a Mechanical Engineering Technologist with a Bachelor of Technology and the Judges engaged in the profession of engineering technology in making their decision.

The Court of Appeal for Saskatchewan engaged in terrorist activity contrary to section 83.01(b) of the Criminal Code of Canada.

The Court of Appeal for Saskatchewan engaged in the trafficking of a person under the age of 18 years for the purposes of exploitation contrary to section 279.011(1)(4) of the Criminal Code of Canada.

The Court of Appeal for Saskatchewan ignored the Applicant's evidence to demonstrate the systematic attack directed towards the Applicant and his family. This has stripped them of fundamental rights afforded to persons under the law.

The Court of King's Bench for Saskatchewan issued a fraudulent certificate of divorce issued while three appeals relating to the divorce were pending and Amy Groothius brought the vexatious litigation forward to conceal the fraud by the Court of King's Bench for Saskatchewan;

The Court of Appeal for Saskatchewan reinforced the systemic racism demonstrated by the jurisdiction by ignoring evidence presented by a Black person to rule in favour of a Caucasian woman not present who has a demonstrable history of abusive violent behaviour.

The Court of Appeal for Saskatchewan sanctioned the torture of Indigenous and Black persons.

The Court of Appeal for Saskatchewan ignored treason, child trafficking for the purposes of sexual and financial exploitation and bioterrorism involving the following parties without limitation, Justice R.W. Elson, Virgil Thomson, Brad Appel, Bryce Bohun, Cary Ransome, Chad Gartner, Chantalle Thompson, Kathy Irwin, Mark Clements, OWZW Lawyers LLP, the RCMP, Matrix Law Group LLP, Clifford A. Holm, Patricia J. Meiklejohn, Kimberley A. Richardson, Justice B.R. Hildebrandt, Kristine Wilk, the Court of King's Bench for Saskatchewan, the Registrar of Information Services Corporation, the Registrars of the Court of Appeal for Saskatchewan, Justice J. Kalmakoff, Prothonotary Mirelle Tabib, Justice W. Pentney, Justice V. Rochester, Chief Judge Phillip A. Brimmer of the District Court of Colorado, rogue agents of Immigration and Customs Enforcement, Department of Homeland Security, U.S. Customs and Border Protection, and the Supreme Court of the United States.

The Court of Appeal for Saskatchewan ignored the serious nature of allegations of treason.

The Court of Appeal for Saskatchewan ignored the forcible transfer of a citizen of the Metis Nation of Saskatchewan off of her ancestral homeland, in an effort to further torture her father the Applicant.

The Court of Appeal for Saskatchewan ignored the criminal actions taken by Justice R.W. Elson and others that resulted in the daughter of the Applicant fleeing to the United States at the

Sweetgrass Montana port of entry to cross in her ancestral homeland and file for asylum after being tortured by the RCMP, SHA and others.

The Court of Appeal for Saskatchewan shielded persons engaged in mortgage fraud from scrutiny and participated in the said fraud.

The Court of Appeal for Saskatchewan upheld precedent from the Court of Appeal for Saskatchewan that infant children should not be afforded the privilege of section 7, 12 charter rights as granted by the Charter of Rights and Freedoms.

The Court of Appeal for Saskatchewan has participated in religious persecution and all the crimes listed in the documents when punishing the Applicant for complaining of torture and the threat of being murdered and presenting evidence of the same.


The Court of Appeal for Saskatchewan has prevented the Applicant from accessing justice and due process of law.

The Court of Appeal for Saskatchewan has taken advantage of a self-represented litigant and deceived the Applicant on multiple occasions to defraud and punish him with unlawful sanctions to torture him.

The Court of Appeal for Saskatchewan used vexatious litigation orders to conceal crime and retaliate against the applicant for exposing crime.

The Court of Appeal for Saskatchewan and Court of King's Bench for Saskatchewan worked in concert to attack the Applicant and evidence demonstrates the Court of King's Bench for Saskatchewan preemptively attacked the Applicant and the Court of Appeal for Saskatchewan participated in covering up the crimes of the lower court.

**SIGNED BY**



January 2, 2023

DALE RICHARDSON  
1292 95<sup>th</sup> St.,  
North Battleford, SK S9A 0G2, Canada  
Tel: 1 306 441-7010



Fax: 1 639 630-2551  
Email: [unity@dsrkarisconsulting.com](mailto:unity@dsrkarisconsulting.com)

**ORIGINAL TO:**

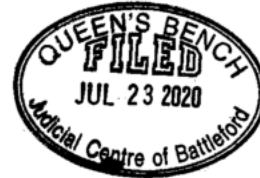
**COPY TO:**

**THE REGISTRAR**

Supreme Court of Canada  
Office of the Registrar  
301 Wellington Street.,  
Ottawa, ON K1A 0J1, Canada  
Tel: 1 844 365-9662  
Fax: 1 613 996-9138  
Email: [registry-greffe@scc-csc.ca](mailto:registry-greffe@scc-csc.ca)

KIMBERLEY A. RICHARDSON  
Respondent  
**Matrix Law Group LLP**  
Patricia J. Meiklejohn, Counsel for the  
Respondent  
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NORTH BATTLEFORD SK, S9A 1A1  
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**NOTICE TO THE RESPONDENT:** A respondent may serve and file a memorandum in response to this application for leave to appeal within 30 days of the date a file number is assigned in this matter. You will receive a copy of the letter to the applicant confirming the file number as soon as it is assigned. If no response is filed within that time, the Registrar will submit this application for leave to appeal to the Court for consideration.



COURT FILE NUMBER DIV NO. 70 OF 2020  
COURT OF QUEEN'S BENCH FOR SASKATCHEWAN  
(FAMILY LAW DIVISION)  
JUDICIAL CENTRE BATTLEFORD  
PETITIONER KIMBERLEY ANNE RICHARDSON  
RESPONDENT DALE JAMES RICHARDSON

07/23/2020 4:03PM 000000#0005 0001  
ORDER/JUDGMENT \$10.00

**INTERIM ORDER**

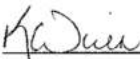
Before the Honourable Mr. Justice R.W. Elson in Chambers the 23<sup>rd</sup> day of July, 2020.

On the application of Patricia J. Meiklejohn, lawyer on behalf of the Petitioner and on Dale James Richardson, the Respondent, not being present and on reading the materials all filed:

The Court orders:

1. The Petitioner, Kimberley Anne Richardson, shall have interim sole custody of the child, Karis Kenna Nicole Richardson, born February 9, 2019.
2. The Primary residence of the child, Karis Kenna Nicole Richardson, born February 9, 2019 shall be with the Petitioner, Kimberley Anne Richardson.
3. The Respondent, Dale James Richardson, shall have supervised specified access to the child, Karis Kenna Nicole Richardson, born February 9, 2019.
4. The Respondent is prohibited from the use or consumption of alcohol and/or non-prescription drugs while the child, Karis Kenna Nicole Richardson is in his care or in his presence.
5. The child, Karis Kenna Nicole Richardson, born February 9, 2019, shall remain resident in the Province of Saskatchewan.
6. The Respondent shall not leave the Province of Saskatchewan with the child, Karis Kenna Nicole Richardson, born February 9, 2019, for any period of time without the written advance consent of the Petitioner.

7. The child, Karis Kenna Nicole Richardson, born February 9, 2019 shall not be left alone with or in the care of Kaysha Faith Neasha Richardson born March 16, 1997.
  8. The issue of parenting is adjourned to August 27, 2020 to be reviewed.
  9. The Respondent shall provide financial disclosure pursuant to the requirements of the *Federal Child Support Guidelines*.
  10. The Petitioner, Kimberley Anne Richardson, shall have exclusive possession of the family home and household goods. The Respondent shall vacate the home on or before July 30, 2020.
  11. The family home located at 1292 95<sup>th</sup> Street North Battleford, Saskatchewan, Surface Parcel #153874659 shall be listed for sale with a registered Real Estate Broker forthwith.
  12. The Petitioner shall be authorized to solely negotiate and agree to the listing agreement and sale price and sale terms
  13. The Net Sale Proceeds be held in trust by counsel for the Petitioner or alternatively that the Net Sale Proceeds be paid into Court to the credit of this action.
  14. The Respondent shall not molest, annoy, harass, communicate with or otherwise interfere with the Petitioner, Kimberley Anne Richardson.
  15. Costs of this application be paid to the Petitioner, Kimberley Anne Richardson.
- ISSUED at Battleford, Saskatchewan this 23 day of July, 2020.

  
D/ Local Registrar

**CONTACT INFORMATION AND ADDRESS FOR SERVICE**

Matrix Law Group; Attn: Patricia J. Meiklejohn 1421 101<sup>st</sup> Street, North Battleford SK S9A 1A1  
Telephone number: (306) 445-7300; Fax number: (306) 445-7302; Email Address: patriciam@matrixlawgroup.ca;  
File Number: 63095-412 PJM

JUDICIAL CENTRE OF BATTLEFORD

DIV 70/20  
7764

KIMBERLEY RICHARDSON v. DALE RICHARDSON

pg 1

Date	Nature of Order	Judge
July 22/20	Alson, J. P. Meikeijohn - telephone no one was respondent.	Reserved - pending information from Mrs. Meikeijohn.  K. J. Alson

July 23, 2020

Counsel for the petitioner has provided the Court with her client's internal estimate of the amount of equity in the family home, roughly between \$8000 and \$12000. With that information, I am satisfied that the interim draft order should issue. The order includes authorization for the petitioner to list and sell the house, followed by an accounting to the proceeds.

The only thing that should be included in the interim order is that the issue of parenting to be reviewed in one month's time. That should occur on August 27, 2020.

K. J. Alson

Counsel Notified Copies Provided

Date: JUL 23 2020

Signed: K. J. Alson

<b>DIV 70/20</b> Aug 27/20 #5	<b>Before Mr. Justice R.W. Danyiuk</b> Meiklejohn by telephone for Petitioner, Kimberley Richardson Dale Richardson by telephone
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Pursuant to Justice Elson's Order of July 23, 2020, and in particular paragraph 8 thereof, the matter of review of the issue of parenting is

adjourned to **October 1, 2020** at 10 a.m. Mr Richardson shall serve and file any material he wishes to rely upon on that date by 4 p.m. on September 24, 2020.

Both parties may appear by way of telephone on October 1, 2020.

A copy of this Fiat shall be sent to both Ms. Meiklejohn and Mr. Richardson (e-mail).

*R.W. Danyiuk* D.R.

09-01-20 10:38 FROM: Crt. of Queens Bench 306-446-7737  
0071 20 10:38 FROM: Matrix Law Group 306 446 7737

T-613 P0002/0002 F-637  
1 000 1 0007/0000 1 100



# MATRIX | LAW GROUP

Clifford A. Helm, JD • Patricia J. Meiklejohn, LL.B. • Jaylyn E. Lawrence, LL.B.  
Eidon B. Lindgren, Q.C. • Brent M. Hingworth, LL.B.

August 31, 2020

Reply To: Patricia J. Meiklejohn  
E-mail: patriciam@matrixlawgroup.ca

Our File No. 63095-412 PJM

Via Fax (306) 446-7737

COURT OF QUEEN'S BENCH  
JUDICIAL CENTRE OF BATTLEFORD  
BOX 340  
BATTLEFORD SK S0M 0E0



**Re: Richardson v. Richardson, DIV No. 70 of 2020, Battleford**

The parties have agreed to adjourn the above-noted matter by consent, from Chambers on September 3, 2020 to October 1, 2020. Please see attached e-mail from Mr. Richardson confirming his consent.

Please return a faxed copy of this letter confirming that the adjournment was granted.

Yours truly,

MATRIX LAW GROUP

Per:

Patricia J. Meiklejohn

PJM/agt

Encl.

The above-noted adjournment was granted this 01 day of <sup>Sep.</sup> August, 2020.

Registrar (Clerk)

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JUDICIAL CENTRE OF BATTLEFORD

DIV 70/20  
7764

KIMBERLEY RICHARDSON v. DALE RICHARDSON

Date	Nature of Order	Judge
DIV 70/20 Aug 27/20 #5	Before Mr. Justice R.W. Danyliuk Meiklejohn by telephone for Petitioner, Kimberley Richardson Dale Richardson by telephone	
	Pursuant to Justice Elson's Order of July 23, 2020, and in particular paragraph 8 thereof, the matter of review of the issue of parenting is	
	adjourned to <b>October 1, 2020</b> at 10 a.m. Mr Richardson shall serve and file any material he wishes to rely upon on that date by 4 p.m. on September 24, 2020.	
	Both parties may appear by way of telephone on October 1, 2020.	
	A copy of this Fiat shall be sent to both Ms. Meiklejohn and Mr. Richardson (e-mail).	

KRISTINE WILK  
DEPUTY LOCAL REGISTRAR

SEP 01 2020

RULE 460(1)

Consent Adj. to Oct 1/20  
Telephoned in by meiklejohn  
With consent of Richardson

OCTOBER 1, 2020  
BEFORE ZUK, J  
P. MEIKLEJOHN FOR PETITIONER BY PHONE (KIMBERLEY RICHARDSON, CLIENT, PRESENT BY PHONE AS WELL  
D. RICHARDSON RESPONDENT BY PHONE

THIS MATTER CAME BEFORE THE COURT WITH EFFECTIVELY 3 MATTERS IN ISSUE. THE FIRST IS A COURT ORDERED REVIEW OF PARENTING AS DIRECTED BY JUSTICE ELSON IN HIS FIAT OF JULY 23/20. THE SECOND APPLICATION BEFORE THE COURT IS THE PETITIONER'S APPLICATION FOR CHILD SUPPORT. THE THIRD APPLICATION BEFORE THE COURT IS THE RESPONDENT'S APPLICATION FOR AN ORDER DISPENSING WITH SERVICE.

JUDICIAL CENTRE OF BATTLEFORD

DIV 70/20  
7764

KIMBERLEY RICHARDSON v. DALE RICHARDSON

page 3

Date	Nature of Order	Judge
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IN RESPECT OF THE FIRST MATTER, NAMELY THE REVIEW OF PARENTING, MR. RICHARDSON HAS BEEN UNABLE TO PUT HIS EVIDENCE BEFORE THE COURT. HE INDICATES HE WISHES TO FILE A USB OR A FLASH DRIVE CONTAINING EVIDENCE THAT HE STATES IS IMPORTANT TO HIS APPLICATION. MR. RICHARDSON, IF HE WISHES TO FILE MATERIAL IN ELECTRONIC FORM IS TO MAKE APPLICATION TO THE COURT FOR SUCH FILING AND WILL REQUIRE AN ADJOURNMENT FOR THAT PROCESS.

SECONDLY, THE MOTHER'S APPLICATION FOR CHILD SUPPORT CANNOT PROCEED EFFECTIVELY WITHOUT MR. RICHARDSON'S FINANCIAL INFORMATION. MR. RICHARDSON HAS NOT FILED AN AFFIDAVIT IN REPLY TO THAT REQUEST AND ACCORDINGLY WILL BE GIVEN AN OPPORTUNITY TO FILE AN AFFIDAVIT IN RESPONSE TO THE REQUEST FOR CHILD SUPPORT.

THIRDLY, MR. RICHARDSON'S APPLICATION FOR AN ORDER DISPENSING OF SERVICE WAS NOT SERVED ON MS. MEIKLEJOHN AND THAT MUST BE ACCOMPLISHED BEFORE THE COURT CAN HEAR THAT APPLICATION. ACCORDINGLY THE PARTIES ARE BOTH AVAILABLE ON OCTOBER 15/20 AND ALL MATTERS ARE ADJOURNED TO OCTOBER 15, 2020, AT 10 A.M. THIS WILL PERMIT MR. RICHARDSON AN OPPORTUNITY TO FILE HIS APPLICATION TO HAVE A FLASH DRIVE OR USB DRIVE SUBMITTED AS EVIDENCE BEFORE THE COURT ALONG WITH ANY OTHER AFFIDVIT EVIDENCE THAT HE WISHES TO SUBMIT. THIS WILL ALSO GIVE MR. RICHARDSON AN OPPORTUNITY TO FILE HIS APPLCATION TO DISPENSE WITH SERVICE ON MS. MEIKLEJOHN. ACCORDINGLY ALL MATTERS ARE ADJOURNED TO OCTOBER 15, 2020 AT 10:00 AM FOR THOSE PURPOSES.

THE PETITIONER SEEKS AN ORDER DIRECTING THAT THE RESPONDENT SERVE AND FILE A SWORN FINANCIAL STATEMENT, HIS LAST 3 YEARS INCOME TAX RETURNS AND MOST RECENT PAY STUBS OR LETTER FROM ANY EMPLOYER OR EMPLOYERS BETWEEN JANUARY 1/20 AND OCTOBER 1/20. MR. RICHARDSON ADVISES THAT HE OPPOSES SERVING AND FILING THAT INFORMATION AS HE HAS AN APPLICATION BEFORE FEDERAL COURT REGARDING A NAMED COMPANY NOT BEING TREATED AS A NATURAL PERSON. IT IS MY VIEW THAT MR. RICHARDSON'S APPLICATION BEFORE THE FEDERAL COURT IS NOT GERMAIN TO THE REQUEST THAT HE FILE SWORN FINANCIAL STATEMENT AND HIS INCOME TAX RETURNS AND OTHER FINANCIAL INFORMATION. ACCORDINGLY I SEE NO NEED TO ADJOURN THE PETITIONER'S

5914



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JUDICIAL CENTRE OF BATTLEFORD

DIV 70/20  
7764

KIMBERLEY RICHARDSON v. DALE RICHARDSON

Date	Nature of Order	Judge
	APPLICATION AND DIRECT THAT MR. RICHARDSON FILE A SWORN FINANCIAL STATEMENT, HIS MOST RECENT 3 YEARS INCOME TAX RETURNS AND A PAYSTUB OR LETTER FROM EMPLOYER OR EMPLOYERS THAT HE HAS HAD SINCE JANUARY 1, 2020 TO OCTOBER 1, 2020 OUTLINING HIS 2020 INCOME TO DATE.	
	THE INFORMATION DIERCED TO BE PROVIDED SHALL BE SERVED ON MS. MEIKLEJOHN WITHIN 30 DAYS AND FILED WITH THE COURT WITHIN THE SAME 30 DAY PERIOD.	
	THE LOCAL REGISTRAR IS DIRECTED TO PROVIDE A COPY OF THIS FIAT TO COUNSEL FOR THE PETITIONER AND TO THE RESPONDENT'S E-MAIL ADDRESS ON FILE. TO THE EXTENT THAT I OUGHT TO HAVE INDICATED AT THE BEGINNING OF MY HEARING THIS APPLICATION TODAY; IT IS ORDERED THAT NO RECORDING OF TODAY'S APPLICATION BE MADE BY EITHER PARTY; IN THE EVENT THAT ANY RECORDING HAS BEEN MADE SUCH RECORDING SHALL BE IMMEDIATELY DESTROYED AS RECORDINGS ARE NOT ALLOWED IN COURT PROCEEDINGS AT CHAMBERS. THIS MATTER STANDS ADJOURNED TO OCTOBER 15, 2020, AT 10 A.M.	

*R. K. Kalden dlr.*

DIV	October 15, 2020
70-	The Honourable Mr. Justice Bardai
202	Ms. Meikeljohn and Kimberley Richardson present by telephone for the
0	Applicant, Mr. Richardson for the Respondent on his own behalf by telephone
Jud	Anybody recording this proceeding must turn it off immedietly
ge	
FIA	There are three applications pending before the Court. The first is a review of the parenting arrangement directed by Mr. Justice Elson in his fiat of July 23, 2020. The second is an application of Kimberly Richardson respecting child support. The third application is with respect to dispensing with service. All three applications were previously adjourned on October 1, 2020 by Mr. Justice Zuk to allow Mr. Richardson an opportunity to file evidence before the court in respect of the arguments he is advancing. No such affidavit has been filed as of today. Mr. Richardson will file his affidavit evidence along with financials previously ordered by the Court by the end of October 2020. This will allow an opportunity for a response before the matter is then returned to chambers on November 26, 2020.
T	

*C. WILSON*

DLR

JUDICIAL CENTRE OF BATTLEFORD

FILE # DIV 70/20

Kimberley Richardson v. Dale Richardson

Date	Nature of Order	Judge
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<u>NOV 26/20</u>	<u>Patricia Melleson for Petitioner Respondent for Sec 6</u>	<u>Zuck J</u>
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<u>Reserved</u>		<u>Jussawak</u>
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*(The remaining rows of the table are crossed out with a large diagonal line.)*



DIV 70 of 2020 - *Kimberley Richardson v Dale Richardson* - JCB

Patricia J. Meiklejohn      for Kimberley Richardson (petitioner)  
Dale Richardson            on his own behalf (respondent)

FIAT - December 11, 2020 - ZUK J.

[1]            There are three application before the court as follows:

- 1) A review of Justice Elson's interim parenting order made July 23, 2020;
- 2) The petitioner's claim for interim child support;
- 3) The respondent's application to dispense with service of materials on the petitioner.

[2]            The petitioner mother [petitioner] and the respondent father [respondent] are the parents of Karis Kenna Nicole Richardson, born February 9, 2019 [Karis]. The parties were married on July 3, 2016 and separated February 16, 2020. Prior to their separation, the parties resided in the family home in North Battleford. Karis is the parties only child, however Mr. Richardson has a 23-year-old daughter Kaysha Faith Neasha Richardson [Kaysha] from a previous relationship.

[3]            At the time of Karis's birth the petitioner was employed as a recovery specialist with Innovation Credit Union where she worked Monday to Friday from 8:30 a.m. until 4:00 p.m. or 5:00 p.m. The respondent was enrolled in full-time classes at Sask Polytechnic.

[4]            Karis was born prematurely on February 9, 2019 and remained in hospital following her birth, first at the Royal University Hospital in Saskatoon and then Regina General Hospital until her release on March 3, 2019.

[5]            The respondent was present for Karis's birth and remained in Saskatoon while Karis was hospitalized at the Royal University Hospital although he continued to take classes. He travelled to Regina to be with Karis while she was hospitalized at the Regina General Hospital.

[6]            Upon Karis's discharge from hospital on March 3, 2019 all three returned to North Battleford.

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[7] The respondent resumed full-time attendance at school commencing March 4, 2019 and commuted from North Battleford most days although he would remain in Saskatoon one or two nights per week. The petitioner states that the respondent spent little time with Karis as he was focused on his studies and his involvement in the Seventh-day Adventist Church. The petitioner took a full year maternity leave following Karis's birth returning to work on February 24, 2020.

[8] The petitioner describes herself as being the parent primarily responsible for Karis's day-to-day care including being the parent responsible to take Karis to her medical check-ups and immunization appointments.

[9] The respondent commenced employment in Saskatoon on a full-time basis on June 10, 2019 where he remained employed until January 21, 2020. He commuted each day leaving to Saskatoon by 5:45 a.m. and usually returning between 6:00 to 6:30 p.m. He continued to spend significant part of each Saturday at the church while Karis and the petitioner remained at home.

[10] In addition to his full-time employment, the respondent registered for three online university courses commencing September 2019. He devoted his free time in the evenings and on weekends to his online university classes.

[11] Following the loss of his employment, the respondent parented Karis part of every day between February 16 to May 30, 2020. Because of the COVID-19 pandemic, the petitioner began working from home. Commencing June 1, 2020 Karis has been in the petitioner's sole care and the respondent has not seen Karis since that date.

[12] Following the separation, the petitioner and Karis moved in with the petitioner's parents. The respondent remained in the family home. The respondent has since vacated the family home and may now reside with his mother in Chestermere, Alberta. It is unclear whether his relocation is temporary or permanent.

[13] The cause of the separation is in dispute and the reasons for the parties separation are not typically relevant to parenting issues. What is relevant is the parties decision to place Karis in the primary care of the petitioner following their separation. The respondent had a meaningful parental role in which he had Karis in his care part of each day. He maintained day to day contact with Karis until he sent a threatening email to the petitioner which resulted in her denying the respondent from having any contact with Karis out of fear for her safety.

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[14] On February 13, 2020 the respondent advised the petitioner that his family was coming for a visit including his adult daughter Kaysha who planned to live with the respondent in North Battleford. The petitioner reacted very strongly advising that this would be a marriage ending decision as she alleges that Kaysha had physically attacked her in the past and the petitioner alleges that Kaysha suffers from significant mental health issues.

[15] Although the parties versions of the event differ, an incident occurred at the Seventh-day Adventist Church on February 15, 2020 involving the petitioner and the respondent's daughter Kaysha. The police became involved but the incident was resolved with the assistance of church members. No criminal charges were laid against the petitioner as a result of the incident. The respondent alleges that the petitioner physically assaulted Kaysha in the presence of Karis. The petitioner denies that any assault took place. The petitioner left the church with Karis.

[16] The parties arranged for the respondent to have Karis in his care on the afternoon of Sunday February 16, 2020. The respondent agreed to return Karis to the petitioner at 6:30 p.m. Instead, the respondent texted that he would not be bringing Karis back and would be taking her to Calgary with his family for a few days. This resulted in a further dispute between the parties in which church members mediated. The parties reached an agreement in which the respondent would have Karis for portions of each morning and afternoon and Karis would be in the care of the petitioner from approximately 6:15 p.m. each evening until the next morning when she would drop Karis off with the respondent. The respondent's parenting time with Karis was reduced starting March 16, 2020 as Karis began attending daycare Monday to Friday from 8:15 a.m. until 1:30 p.m.

[17] The parenting arrangement remained in place until June 1, 2020 when the petitioner received emails from the respondent which he copied to approximately 60 other people. The email contains very troubling language. The respondent, in making reference to the petitioner's lawyer and others, states, in part "Today will be your last God has required your blood this day.". Other references include "You have squandered your life. Today will be your last. You are weighed in the balances and found wanting.". At yet another reference is as follows: "Gary you forfeited your life. Ciprian you have failed your position, the King of Kings and Lord of Lords has required your life. Judgment begins in the house of the Lord." The language used by the respondent is extremely threatening and the petitioner's fear for her safety and the safety of others is reasonable.

[18] The petitioner, fearful that the email constituted threats on the lives of the persons named in the letter, contacted the parties and the RCMP. The petitioner

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has withheld Karis from the respondent since then and deposes that she receives long and disturbing emails from the respondent on nearly a daily basis. The respondent frequently copies the emails to other people including the Prime Minister of Canada, the Mayor of North Battleford and media outlets. The respondent has recorded conversations with RCMP members and has posted those conversations on social media. The respondent has also posted videos of himself on YouTube and shared them on Facebook with subject matter that contains details of the parties personal relationship.

[19] The petitioner is extremely concerned about the respondent's erratic behavior and fears that his behaviors have accelerated. She fears for Karis's safety in his care. Her fears are reasonably founded.

[20] The petitioner has attached copies of emails that have been sent to dozens, if not hundreds of recipients. The respondent, who is of Caribbean/Canadian descent, rails against perceived racial injustice and makes allegations against the Seventh-day Adventist Church leadership which include racism, discrimination, sexism and abuse of power. While every citizen has the right to speak out against social injustice, the respondent's allegations contain more rhetoric than fact.

[21] However, the emails do contain admissions that the respondent struggled with an addiction to hard drugs throughout his adult life as recently as 2018. He acknowledges falling into a deep depression following his separation from the petitioner in February 2020.

[22] The petitioner's application was first heard in chambers on July 23, 2020. The respondent had not filed material and was arrested under a Provincial Mental Health Warrant as he attempted to enter the courthouse in Battleford. Accordingly, the only material before the chamber judge on July 23, 2020 was the petitioner's affidavit. The court granted an interim order placing Karis in the petitioner's sole interim custody and designating that Karis's primary residence be with the petitioner. The respondent was granted supervised access to Karis provided he had refrained from the consumption of alcohol or non-prescription drugs while Karis was in his care. Additional terms of the order are not relevant to this review.

[23] The court ordered a review of the parenting provisions of the July 23 order to be conducted on August 27, 2020. Presumably this was to allow the respondent an opportunity to be present and to file affidavit material.

[24] The respondent appeared at chambers by telephone on August 27. He had not yet filed any material and the review was adjourned to October 1. The

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respondent appeared before me on October 1 by telephone, however he had not yet filed material in relation to the parenting order but had filed an application for an order dispensing with service of materials on the petitioner. The respondent was granted a further adjournment to October 15 to file affidavit material and he was directed to file a sworn financial statement along with his last three years income tax returns.

[25] On October 15 the respondent appeared at chambers by telephone, however he had yet to file any material. Accordingly, the matter was adjourned to chambers on November 26.

[26] The petitioner, in anticipation of the impending review dates, filed supplemental affidavits sworn October 13, 2020 and November 20, 2020. In her supplemental affidavit sworn October 13, 2020 the petitioner advises that she had not yet received any request by the respondent to have parenting time with Karis. The petitioner believed that the respondent was residing with his mother in Chestermere Alberta which is approximately 560 kms from North Battleford.

[27] Although the respondent had not filed any material by October 15<sup>th</sup> respecting the review of the parenting order, he had commenced an action by originating application in which he named the petitioner, her lawyers, numerous members of the church along with many others as respondents. The application is unrelated to parenting matters before the court.

[28] On September 18, 2020 the respondent issued a statement of claim in Federal Court thereafter bringing a motion in that court to dispense with service of the claim. The respondent's application to dispense with service on the defendants was dismissed. A copy of the Federal Court's decision rendered October 7, 2020 has been filed as an exhibit. The claim is commenced in the name of DSR Karis Consulting Inc. a limited company incorporated and owned by the respondent. The style of cause contains 68 defendants including the Court of Queen's Bench for Saskatchewan, the Royal Canadian Mounted Police, the University of Saskatchewan, and various other institutional and individual defendants. The respondent was able to commence court applications and file motions regarding matters unrelated to parenting, but has failed to explain why he felt the need to focus on non-parenting court applications. I can infer that he believed those matters took priority over utilizing his time to prepare material on this file to allow for the parenting review to be heard in a timely fashion.

[29] The respondent filed his affidavit sworn October 29, 2020 containing, in my best estimation, 1200-1500 pages of exhibits. The exhibits include hundreds of pages of text communications between the petitioner and the respondent which



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contains evidence that is not relevant to the court in determining custody and parenting time, specifically the factors set in s. 8 and 9 of *The Children's Law Act, 1997*, SS 1997, c C-8.2 and s. 16 of the *Divorce Act, RSC 1985, c 3 (2<sup>nd</sup> Supp)*. The emails relate largely to the parties separation and provide little insight into the parenting issues before the court. The bulk of the other exhibits are also irrelevant to issues before the court.

[30] The respondent's affidavit material focuses largely on his view of events leading up to and following, the parties February 16, 2020 separation. He provides no material evidence allowing the court to address custody and parenting factors such as his current living arrangements, the suitability of his home, (presumably that of his mother) and whether the home is potentially a suitable place to bring a young child. There is no evidence about who resides in the home, although the respondent does confirm that his daughter Kaysha no longer resides with him. He provides evidence that she sought asylum in the United States, was arrested and is currently detained at a holding facility in Nevada.

[31] The respondent provides scant evidence about his relationship with Karis and his involvement as a parent in Karis's upbringing. Nor does he provide evidence of any plans as to how he anticipates either exercising parenting time with Karis or having her in his care for any extending period. Any relevant information regarding the respondent's parenting of Karis has come from the petitioner.

[32] The respondent has focused on providing the court with evidence of the various legal actions that he has commenced. He has filed a 51-page statement of claim issued in Federal Court (T-1409-20) naming 57 various defendants in which he claims unspecified relief against the majority of defendants and specified relief against the Seventh-day Adventist Church. He alleges that the July 23 chamber judge was involved in the torture of the respondent and his daughter and that the chamber judge facilitated a terrorist attack. Essentially, his allegations are unfocused and wide ranging. He remains fixated on allegations that the petitioner was involved in torturing both he and Karis contrary to the *Criminal Code, RSC 1985, c C-46* and contrary to International Law. The outcome of the respondent's various legal actions will be determined at some future date and I comment on these court actions to highlight where the respondent has focused his efforts since the parties separation.

[33] Although much of the respondent's material is unrelated and irrelevant to the family law issues before the court, there are bits of evidence that are relevant to these proceedings. He states that the petitioner assaulted his daughter Kaysha in Karis's presence on February 15, 2020. He states that Karis was incredibly distraught as a result of witnessing the alleged assault committed by the petitioner against

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Kaysha and that Karis reacted by pulling her own hair. The allegation if true, could have a bearing on the petitioner's own ability to conduct herself in a manner that prioritizes Karis's best interests.

[34] However, he agreed to a post-separation arrangement where Karis remained in the primary care of the petitioner. It is the respondent who admits to being tremendously impacted by allegedly witnessing the event. He states that he had considered ending his life and would have likely done so had it not been for the involvement of Jesus and his two daughters in his life. In the same paragraph he acknowledges that his disability (the nature of his disability is undisclosed however I understand that he is referring to his involvement with hard drugs as his disability) makes him prone to being impulsive and distracted. He acknowledges being removed as an Elder from the Seventh-day Adventist Church in North Battleford as he lacked the capacity on his own to resign.

[35] The respondent denies any ongoing mental health or addiction issues since a relapse that had occurred in 2018. He provides a short letter from Dr. Ovakporaye, M.D. dated September 4, 2020. Dr. Ovakporaye simply states that he has treated the respondent since 2008 without observing any evidence of significant mental health issues.

[36] The court would have been assisted by further detail in Dr. Ovakporaye's report. The report does not provide any information regarding the matters for which the respondent sought Dr. Ovakporaye's medical advice nor does the report provide any information regarding the frequency of Dr. Ovakporaye's attendances on the respondent.

[37] However, I am significantly troubled by Dr. Ovakporaye's observations given the respondent's self-acknowledged suicidal ideations occurring mid-February 2020 followed by his depression and anxiety following the parties separation.

[38] The respondent acknowledges being detained under a Mental Health Warrant at the Battleford Mental Health Centre from July 23 to August 7. I find it troubling that Dr. Ovakporaye provides his opinion that he has not observed evidence of mental health issues in the respondent given the respondent's self-acknowledged struggles with suicidal ideations and anxiety occurring mere months prior to the preparation of his report. No mention is made by Dr. Ovakporaye of the respondent's two week detention in July at the Provincial Mental Health Unit in Battleford. Accordingly, I place little weight on Dr. Ovakporaye's report.

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[39] The respondent acknowledges that he had struggled with the abuse of hard drugs as recently as 2018. He states that he has recently spoken to his addictions counsellor who has advised him that there is no need for further counselling as the respondent is managing his addiction well. I am troubled that there is no written report from the respondent's addiction's counsellor confirming that assessment given the relatively recent relapse by the respondent in 2018.

[40] The respondent does not deny or contradict the petitioner's evidence of the parties parenting arrangements before and after separation.

[41] The petitioner filed her affidavit in response sworn November 20. She denies having assaulted Kaysha and denies that Karis either witnessed or became distraught following the petitioner's interaction with Kaysha on February 15<sup>th</sup>.

#### **Assessment of the evidence**

[42] Often the court is faced with conflicting and contradictory evidence. Other than the parties differing view regarding the February 15 incident between the petitioner and the respondent's daughter Kaysha, the evidence between the parties is not in conflict. The petitioner's material contains evidence focusing on the parties parenting following Karis's birth. The evidence is relevant and acknowledges the respondent's role in parenting Karis both before and after separation. The petitioner readily acknowledges that the respondent initially parented Karis in the morning and the afternoons following their separation. The respondent's parenting time was limited to afternoons once Karis commenced daycare. The respondent's parenting time was terminated on June 1 following the disturbing email sent by the respondent in which the respondent uses language that can be construed as threatening the lives of those connected to the petitioner.

[43] The chamber judge on July 23 had only the evidence from the petitioner upon which to base his decision. There was ample evidence available to the chamber judge to make the order. The interim order was made with a built-in review clause to allow the respondent to file material.

[44] The respondent did not file material relevant to this application until he filed his affidavit sworn October 29, 2020. His affidavit and exhibits are voluminous but contain evidence largely irrelevant to the parenting issues before the court. Rather than providing evidence that is child focused and providing evidence of his ability to be a safe and effective parent to Karis, he has filed evidence establishing his belief that the petitioner has tortured both he and their child. The respondent has provided evidence of other actions commenced at Queen's Bench and at the Federal Court. He

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has named dozens of defendants, most of whom appear to be unconnected to the relief sought. His pleadings contain allegations that stretch credibility to near the breaking point. His actions show a deliberate and concerted effort to take legal action against anyone who becomes involved in the proceedings between he and the petitioner. He makes unsupported allegations that he has been subjected to torture and that the defendants have engaged in terrorism. Given the nature of his allegations, it is reasonable to conclude that the respondent is either motivated by malice or, if he genuinely believes the allegations, he does so in the absence of any credible evidence. At the very least, it is plain and obvious that the respondent has focused his time on attempting to seek redress for various grievances rather than focusing of his relationship between his daughter and making any realistic effort to see her in the nearly four months since the making of the original interim order. I get the distinct impression that the respondent's focus is attempting to establish that he is a victim of many self-perceived wrongs rather than any realistic effort to re-establish a meaningful relationship with his daughter.

[45] I note that the only request made by the respondent to see Karis was made on October 15. This request came two days after he received the petitioner's affidavit sworn October 13, 2020 in which she commented that up to that date she had not received any request from the respondent to see Karis.

[46] I am aware that the review process is significantly different than that of the process involved in making the initial order arising from an interim application. The chamber judge on July 23 had to consider the parenting *status quo* as it existed prior to separation and whether any new parenting *status quo* developed following the separation (see *Gebert v Wilson*, 2015 SKCA 139, 467 Sask R 315).

[47] The chamber judge was clearly of the view that the petitioner had made a *prima facie* case supporting an interim order in which she received interim sole custody of Karis and designating that Karis's primary place of residence be with the petitioner. The chamber judge directed that the respondent's parenting time be supervised. The order reflects the parties agreement that the petitioner was Karis' primary caregiver and further takes into account the respondent's threatening emails and increasingly erratic behaviors.

[48] The chamber judge, clearly aware that the interim order was made in the absence of affidavit material from the respondent or from having heard from the respondent given his arrest prior to chambers, provided an opportunity for review of the parenting order. A review allows the reviewing court to consider the appropriateness of an original order without either party having to establish a material change in circumstances since the making of the original order. In *Agioritis v*

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*Agoritis*, 2011 SKQB 257 CanLII the court noted that a judge conducting a review required evidence of “something different such that the previous order is obsolete and an adjustment is required in light of the totality of circumstances as well as the evidence of change.”

[49] The court has not been provided with any evidence from the respondent that warrants a change to the interim order granted July 23. The respondent’s evidence, for the main part, is irrelevant and unhelpful. The relevant evidence that is provided by the respondent establishes that he had suicidal ideations following the parties separation and that he was detained under a Mental Health Warrant at Battleford Mental Health Centre from July 23 to August 7. He provides a report from Dr. Ovakporaye dated September 4, 2020 which contains a very short statement that Dr. Ovakporaye has treated the respondent since 2008 and he has not observed any significant mental health issues. Given the respondent’s self-admitted fairly recent suicidal ideations and his anxiety and depression, followed by a two week involuntary committal under a Provincial Mental Health Warrant, I can only assume that Dr. Ovakporaye was unaware of those facts when he prepared his report. I remain troubled by the respondent’s self-professed success in dealing with his previous substance abuse issues. The respondent acknowledges that substance abuse causes him to be impulsive and distracted. All of these factors weigh heavily against varying the order. In effect, the evidence provided by the respondent does not warrant making any change to the existing order.

[50] The respondent’s recent mental health issues, the lack of independent evidence that his addiction issues are fully in check, the continuing lack of evidence regarding the respondent’s current living arrangements and other relevant parenting circumstances and the respondent’s inability to focus on Karis’ best interests mitigate against making any change to the existing order.

[51] Accordingly, I am not prepared to vary the interim parenting order made July 23 other than to eliminate any further review. Instead, the parties are encouraged to proceed to pre-trial conference where the objective is to obtain a final resolution of all the legal issues between the parties.

**The respondent’s application to dispense with service of documents on the petitioner**

[52] The respondent filed an affidavit seeking an order to dispense with service of documents on the petitioner. The application was not made by a notice of application, however the petitioner took no objection to the lack of a formal notice of application.

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[53] At chambers, the respondent indicated that he did not have any difficulty in serving the petitioner's counsel with documents and sought an adjournment of this application. I am not prepared to grant an adjournment of his application.

[54] Rule 12-10 provides that a court may make an order for substitutional service or dispensing with service. Essentially, an application to dispense with service must be accompanied by evidence establishing that it is impractical for the applicant to effect service by any means permitted under the Rules of Court or provide evidence that the person to be served is evading service or cannot be found. The respondent provides none of that evidence. He provides affidavit evidence that he has been able to serve Miss Meikeljohn either at her office or through her work email. The respondent has established that he has been able to serve documents on the petitioner by methods permitted through the Rules of Court. Accordingly his application is entirely without merit and dismissed with costs in the amount of \$200 payable to the petitioner forthwith and in any event to the cause.

**The petitioner's application for interim child support**

[55] The petitioner seeks an order of interim child support payable in accordance with s. 3 of the *Federal Child Support Guidelines*, SOR/97-175. The respondent has filed income tax returns for the past three years establishing that he has been employed in each of those years. His Line 150 income in 2019 was \$29,992. Typically this would result in an interim child support order of \$241.75 per month commencing from July 1, 2020 being the month in which the court can be satisfied that the respondent received notice of the petitioner's claim for payment of child support.

[56] However, the respondent advised the court that he is currently unemployed and has no current source of income. Although this information is not contained in affidavit form, the uncontradicted evidence from the petitioner is clear that the respondent lost his employment in January 2020. There is evidence that the respondent was detained under a Mental Health Warrant for two weeks this past summer. I take note that the respondent currently resides with his mother. Given the lack of reliable evidence regarding the respondent's 2020 income, I impute income at 50 percent of the respondent's 2019 income and determine that he is capable of earning income in the amount of \$15,000 per annum. Although the respondent is currently residing with his mother in Alberta, he continues to provide a Saskatchewan address as his place of residence. In the absence of any more reliable evidence regarding his permanent place of residence I determine his province of residence to be Saskatchewan. Accordingly, the respondent is directed to pay interim s. 3 *Guidelines*

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child support to the petitioner pursuant to s. 15.1 of the *Divorce Act* in the amount of \$82 per month as interim child support for the child Karis Kenna Nicole Richardson, born February 9, 2019 commencing July 1, 2020 and on the first day of each consecutive month thereafter until further order of the court or until the child is no longer a child within the definition of the *Divorce Act*. The petitioner has not specifically sought costs respecting the child support application, accordingly none are granted.

[57] The petitioner sought costs with respect of the July 23 application. The chamber judge did not address costs and instead directed the matter proceed to a review on a subsequent date allowing the respondent an opportunity to file material. The review has not resulted in any substantial change to the existing interim order. The petitioner has been largely successful in her application and is awarded costs in the amount of \$500 payable forthwith.



J.  
L.W. ZUK

JUDICIAL CENTRE OF BATTLEFORD

FILE # DIV 70/20

Richardson v. Richardson

Date	Nature of Order	Judge
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Feb 19, 2021

The previous draft of Olson J, of the July 23, 2020 order issued pursuant thereto, contemplated the petitioner listing & selling the home & thereafter providing an accounting of the proceeds, with net sale proceeds to be held in trust or paid into court. A necessary aspect of the sale is the transfer. In the circumstances the order requested by the application without notice is necessary. Accordingly, the order may issue in the form of the draft filed.

*[Signature]*



Copy



COURT FILE NUMBER DIV NO. 70 OF 2020

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN  
(FAMILY LAW DIVISION)

JUDICIAL CENTRE BATTLEFORD

PETITIONER KIMBERLEY ANNE RICHARDSON

RESPONDENT DALE JAMES RICHARDSON

**ORDER**

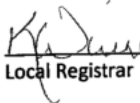
Before the Honourable Madam Justice B.R. Hildebrandt in Chambers the 19<sup>th</sup> day of February, 2021.

On the application of Patricia J. Meiklejohn, lawyer on behalf of the Petitioner and on Dale James Richardson, the Respondent, not being present and on reading the materials all filed:

The Court orders:

1. Pursuant to s. 109 of *The Land Titles Act*, 2000 the Registrar is directed to transfer to and register Title No. 148683000, having Surface Parcel No. 153874659 into the names of Rachel Mary Florence and Scott Donald Florence.

ISSUED at Battleford, Saskatchewan this 19<sup>th</sup> day of February, 2021.

  
D) Local Registrar

**CONTACT INFORMATION AND ADDRESS FOR SERVICE**

Matrix Law Group; Attn: Patricia J. Meiklejohn 1421 101<sup>st</sup> Street, North Battleford SK S9A 1A1  
Telephone number: (306) 445-7300; Fax number: (306) 445-7302; Email Address: patriciam@matrixlawgroup.ca;  
File Number: 63095-412 PJM

JUDICIAL CENTRE OF BATTLEFORD

FILE # DIV 70/20

Kimberley Richardson v. Dale Richardson

Date	Nature of Order	Judge
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Before The Honourable Madam Justice L.A. Schatz  
March 17, 2022 DIV 70/2020  
Ms. Patricia Meiklejohn, for Petitioner by phone  
Dale Richardson for self as Respondent

The matter will be adjourned to Thursday, April 14, 2022, to allow Mr. Richardson to file Affidavit materials in response to Ms. Richardson's Notice of Application for Procedural Matters, which was filed with the court on March 15, 2022, and did not provide for three full days' notice as required by Rule 15-40 of the Saskatchewan Queen's Bench Rules. Ms. Meiklejohn has provided to the court, her explanation as to why the materials were not provided within the three days. The court accepts her rational for the late filing date, as it was not until March 14, 2022, that she was advised by the court that the matter would be proceeding, as prior to this date the court was of the view that the materials were not properly filed. This adjournment will allow Mr. Richardson the full opportunity to respond in full to Ms. Richardson's application and provide documents and affidavit material for the court's consideration in compliance with the Saskatchewan Queen's Bench rules.

Brittany Kalyn  
Deputy Local Registrar

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**QBG 70 of 2020 JCB**

***Kimberley Anne Richardson v Dale James Richardson***

Patricia J. Meiklejohn for the petitioner, Kimberley Anne Richardson, by telephone  
Ms. Richardson present by telephone  
no one appearing for the respondent, Dale James Richardson

FIAT - April 14, 2022 - ZUK J.

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[1] There are a number of applications before the court on today's date. There were applications initially returnable March 17, 2022. Mr. Richardson had an application to vary an existing interim order in which he was seeking sole custody of the child, Karis. The petitioner had an application returnable March 17, 2022, seeking to strike Mr. Richardson's application and his affidavit. The matter was adjourned on March 17, 2022, to today's date, to provide Mr. Richardson with an opportunity to file material in response to the petitioner's application to strike.

[2] Since March 17, 2022, four new applications have been filed. Mr. Richardson has an application returnable on today's date to vary a final order made by Justice Hildebrandt transferring title of the former family home to a third party. The petitioner has an application to strike Mr. Richardson's application and affidavit on the basis that the matter is currently before the Court of Appeal. The petitioner also filed an application returnable on today's date seeking a judgment for divorce. Mr. Richardson has filed a further application before the court returnable on today's date.

[3] Mr. Richardson had previously contacted the Chief Justice of the Court of Queen's Bench seeking an adjournment. The Chief Justice replied to Mr. Richardson advising that unless his request for an adjournment was consented to by counsel for the petitioner, Mr. Richardson would be required to appear in Chambers either by telephone or in person to speak to the adjournment. In support of Mr. Richardson's adjournment, he filed a one line medical report dated April 1, 2022, from Dr. Ovakporaye advising that Mr. Richardson's health did not permit him to deal with matters for a period of 90 days from April 1, 2022. Mr. Richardson has since had email correspondence sent to the Local Registrar advising the court that it was improper to have Mr. Richardson appear to speak to an adjournment given that the petitioner is not consenting to an adjournment of the applications.

[4] Attempts were made at approximately 12:00 noon on April 14, 2022, to call Mr. Richardson at the number that he has provided. The first call, at approximately 12:00 noon, resulted in the loss of all parties to the call, being Ms. Meiklejohn and Ms. Kimberley Richardson, who were essentially on hold pending the court contacting Mr. Richardson. The court clerk once again contacted Ms. Meiklejohn and

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Ms. Richardson, and attempted to get Mr. Richardson on the call. After four rings, the phone went silent and it is unclear whether the inability to contact Mr. Richardson arises from technical difficulty with Mr. Richardson's phone or whether there is any deliberate attempt by Mr. Richardson to avoid a telephone call. Giving Mr. Richardson the benefit of the doubt, this matter is being adjourned to a special date and time, namely, Tuesday, April 26, 2022, at 2:00 p.m. to permit Mr. Richardson to be served with notice of the adjourned application and provide him with an opportunity to speak to the adjournment.

[5] I have adjourned the matter to myself on April 26, 2022, given the voluminous material that I have read in preparation of today's application. It is unfair to the court to expect another judge of the court to be required to read the voluminous material in order to address Mr. Richardson's adjournment application.

[6] The Local Registrar is directed to advise Mr. Richardson of the adjourned date and time by email sent to Mr. Richardson at the email address that he has been using to contact the Local Registrar's office and also the office of the Chief Justice, as I am satisfied that that is a current email address for Mr. Richardson given that he submitted material to the court yesterday to the Local Registrar's office.

[7] The petitioner is directed to also serve notice of the adjourned date and time to Mr. Richardson at the same email address, given that is the method of exchanging documents that the petitioner and respondent have been using in relation to the material before the court.

[8] A copy of this fiat is to be transcribed by the Local Registrar's office, and a copy of this fiat is to be served along with the notice of adjournment by both the Local Registrar and by counsel for the petitioner.

[9] Mr. Richardson is advised that it is his obligation as a self-represented litigant to appear before the court. The appearance scheduled for April 26, 2022, is firstly to hear Mr. Richardson's oral application to adjourn all matters based on his health status. The medical report filed on behalf of Mr. Richardson in support of the adjournment does not indicate the nature of Mr. Richardson's inability to conduct legal matters on his behalf. However, a request for an adjournment is not a complex matter. I take note that Mr. Richardson has subsequent to April 1, 2022, which is the date that his doctor advises that Mr. Richardson is unable to deal with legal matters, been able to serve and file a new application that is currently before the court. It is reasonable to expect that if Mr. Richardson is able to serve and file an application of significant length with the court subsequent to April 1, 2022, that he would be able to address the court for the purpose of seeking an adjournment.

[10] Notwithstanding Mr. Richardson's view that he is unable to deal with complex legal matters due to an unspecified health concern, this fiat is intended to make

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it clear to Mr. Richardson that the court is sensitive to his health concerns and that an application made orally to adjourn a matter is not a complex application and that his application will be treated with respect and dignity. Mr. Richardson is given leave to serve and file any additional medical information between now and the adjourned date which may clarify his complete inability to address the court on April 26, 2022, if that is in fact the view of the author of the medical report.

[11] This matter stands adjourned to April 26, 2022, at 2:00 p.m. The parties are given leave to appear by telephone at the numbers provided today, unless by 4:00 p.m. on Monday, April 25, 2022, either party provides an alternate telephone number by which they are to be reached on April 26, 2022.

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J.  
L.W. ZUK

**DIV 70 of 2020 JCB**

***Kimberley Anne Richardson v Dale James Richardson***

Patricia J. Meiklejohn for the petitioner, Kimberley Anne Richardson, by telephone  
Ms. Richardson present by telephone  
no one appearing for the respondent, Dale James Richardson

FIAT - April 26, 2022 - ZUK J.

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[1] I understand the court clerk attempted to get Mr. Richardson on the line in advance of the 2:00 p.m. Chambers time to have his participation. I am told that he answered and informed there is an ongoing criminal investigation and he will not be participating today. I also confirmed with the court clerk that a copy of my April 14, 2022 fiat was sent to Ms. Meiklejohn, as well as her assistant, and to Mr. Richardson on April 19, 2022.

[2] What I had anticipated doing today was giving Mr. Richardson an opportunity to speak to his adjournment request. For reasons to follow, I am going to dismiss Mr. Richardson's request for an adjournment. In fairness, so that he is aware of the decision, I am going to adjourn all other matters back to Chambers. I believe the next reasonable Chambers date at which Mr. Richardson could appear to address the substantive applications would be Thursday, May 5, 2022. I am the Chambers judge on that date. I will give my reasons for dismissing Mr. Richardson's adjournment application and I will adjourn the balance of the matters to May 5, 2022, at 10:00 a.m. That will provide Mr. Richardson with an opportunity to address the substantive applications. In any event, this will be my fiat:

[3] The court has received a request from the respondent, Dale Richardson, to adjourn a number of applications currently before the court. I have addressed these applications in my fiat of April 14, 2022, so I see no need to review the specific applications before me.

[4] In support of Mr. Richardson's application for an adjournment, he filed the one line medical report from Dr. Ovakporaye which simply stated as follows, and I will quote from the April 1, 2022, report: "The patient requires about 90 days to be able to participate in his legal issues due to medical reasons". That was the full extent of the report.

[5] The adjournment request came before the court in the form of a letter from Mr. Richardson and directed to the Local Registrar. The request was initially directed to the Chief Justice of the Court of Queen's Bench who replied to Mr. Richardson. The reply was to the effect that an adjournment may be made in advance of Chambers provided that there is a consent of the opposing party. In the

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present case, Ms. Meiklejohn did not receive instructions from her client to adjourn the matter and the matter was therefore not adjourned prior to the Chambers date.

[6] This was followed by what appears to be correspondence submitted to the Local Registrar's office among others from Mr. Richardson's sister, Astra Richardson-Pereira, which contained significant allegations against both the courts and the Local Registrar's office. The allegations contained in the April 13, 2022 email were to the effect that the Local Registrar's office in Battleford were, in fact, rogue agents involved in criminal activity. Ms. Richardson-Pereira further alleged that the court was hindering a child molestation investigation to the effect that the court was permitting tax fraud and torture of children to occur. Ms. Richardson-Pereira also noted the Chief Justice in Alberta had respected a medical opinion received, and that medical opinion formed the basis of an adjournment in Mr. Richardson's matters in Alberta.

[7] I have since had the benefit of reading the decision from the Associate Chief Justice in Alberta reported at 2022 ABQB 274, a decision dated April 14, 2022. In his decision, Associate Chief Justice Rooke comments on positions being taken by Ms. Richardson-Pereira, and he further makes reference to the medical report from Dr. Ovakporaye. Suffice it to say that Associate Chief Justice Rooke takes the view that the medical report provided by Dr. Ovakporaye does not comply with the standards required of an expert witness and, in fact, cautions the doctor to change his practices going forward. In particular, Associate Chief Justice Rooke determined that ~~the report did not meet the independent standards required of that of an expert providing~~ an opinion to the court. My April 14, 2022 fiat also made reference to Dr. Ovakporaye's report and, in particular, the lack of detail in the report. For example, the report did not contain information respecting the nature of the illness or disability affecting Mr. Richardson nor did the report address the cognitive or other effects of the illness or disability that would prevent Mr. Richardson from addressing his adjournment application on April 14, 2022.

[8] I have noted that Mr. Richardson subsequent to April 1, 2022, has filed additional materials with the court. One application came before Court of Queen's Bench in Saskatchewan and is dated April 4, 2022, seeking, amongst other things, a waiver of requirement to serve documents. The second document is purported to be an application pursuant to the Hague Convention addressed in the Central Authority dated April 8, 2022. Both of the documents are extensive in length and are updated subsequent to April 1, 2022. I have taken particular note that Mr. Richardson's email to the court seeking his adjournment is dated April 1, 2022. However, the request is unusual in the fact that he refers in the body of the email to documents sent to the Local Registrar on April 4, 2022. I am concerned that Mr. Richardson dated his request for an adjournment corresponding to the date of Dr. Ovakporaye's report and that the April 1, 2022 date is clearly inaccurate given that he is referring to documents submitted to the court on April 4, 2022. I am satisfied that the length and detailed material

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attempted to be submitted by Mr. Richardson to the court on April 4, 2002, and again on April 8, 2022, flies in the face of Dr. Ovakporaye's April 1, 2022 report to the effect that Mr. Richardson is unable to address his legal matters for a period of approximately 90 days.

[9] My April 14, 2022 fiat raised the concern respecting the brevity of Dr. Ovakporaye's report and leave was given to Mr. Richardson to file additional medical information to address what appeared to be his complete inability to address the court on April 14, 2022. The court had attempted to contact Mr. Richardson on two occasions on April 14, 2022. The two occasions were unsuccessful and I was uncertain as to whether or not the difficulty arose from technical problems or whether Mr. Richardson was simply refusing to take the call from the court. Given Mr. Richardson's position before the court today in refusing to deal with the matter, I am now more convinced than ever that Mr. Richardson simply refused to address the court on April 14, 2022, and when given a second opportunity on today's date to participate, he refused to address the court with respect to his adjournment application.

[10] The court has also received emails purportedly from Mr. Richardson's mother, Agatha Richardson. Her email to the court contained what appears to be personal medical information respecting Mr. Richardson. One report is prepared by Dr. Alabi. The second is a report prepared by Sask Polytechnic Institute, created sometime in December, 2018. Given the sensitive nature of the information purportedly filed by Mr. Richardson's mother, I am not prepared to utilize the information contained in her email as evidence on this application. I have no reason to believe, and certainly no proof, that Mr. Richardson authorized the release of this personal medical information to the court. The information was sent by a non-party and attempted to be filed by email, neither of which applies with the rules of court respecting the filing of documents.

[11] For similar reasons, I do not accept as evidence before me today any of the material purportedly filed by Astra Richardson-Pereira. Associate Chief Justice Rooke referred to her material in his decision and has determined in the Alberta proceedings that Ms. Astra Richardson-Pereira is, and I'm going to quote from the decision, a "proxy litigant". It is his view that Mr. Richardson is using his sister as a proxy to file material before the court, and he imposed court access restrictions on Ms. Richardson-Pereira. I note that he did so in his capacity as a case management judge and having the benefit of having Mr. Richardson before him. I have no application to that effect and am not prepared to make an order of similar nature on today's date. However, Ms. Richardson-Pereira is similarly cautioned about engaging in similar practices in Saskatchewan. I note that her correspondence likely reaches a level of civil contempt and Ms. Richardson-Pereira is cautioned in Saskatchewan from further involvement in this matter as a non-party and is recommended to seek independent legal advice respecting her actions.



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[12] The court did receive a second report from Dr. Ovakporaye dated April 20, 2022, and I will quote from the body of the document, and the single line contained in that document, as follows, "This patient is suffering from anxiety, causing other physical symptoms and may need up to 90 days to recuperate from his medical condition". This report is noteworthy in its brevity. I am not aware whether Dr. Ovakporaye had the benefit of reading the decision of Associate Chief Justice Rooke prior to writing his April 20, 2022 report. However, for the same reasons that I am placing little weight on his April 1, 2022 report, I am placing little weight on his April 20, 2022 report.

[13] Despite being given opportunity to file more detailed medical information respecting his alleged inability to address the court to seek an adjournment, Mr. Richardson sees fit to file a second report from Dr. Ovakporaye that provides no more detail than his first report. Although the report does indicate that Mr. Richardson suffers from anxiety causing other physical symptoms, there is absolutely no evidence in the report that the anxiety or other physical symptoms prevent Mr. Richardson from addressing the court on his adjournment application. The court went to significant extent on April 14, 2022 to advise Mr. Richardson that the application for an adjournment is one that can be made orally and is not complex in nature. I specifically made it clear to Mr. Richardson that the court was sensitive to his health concerns and that his application for an adjournment would be treated with respect and dignity. It was the court's intention to assist a self-represented litigant in making a simple application before the court with the knowledge that the court would treat his health concerns and his request with respect and dignity. Mr. Richardson has received a copy of my April 14, 2022 fiat and chooses not to participate in his application before the court today.

[14] I would be remiss if I did not indicate that in the 30 minutes prior to the hearing of this application the Local Registrar's office forwarded an email received from Mr. Richardson presumably to be considered for today's application. The document does not meet any of the filing requirements of the court in that it is filed late, it is not presumably served on Ms. Meiklejohn (and if it was, it was late served), there is no style of cause on the document, and the document does not appear to be either a brief of law or an affidavit. I had limited opportunity to review the document, however, it is entitled, and I quote, "The Whirlwind, The Omega Apostacy, and the King of the North". The document reports to be a study of the Book of Daniel, chapter 11, verses 29 to 45. I see absolutely no relevance of the document apparently self-authored by Mr. Richardson to the proceedings before the court. I note that he has appended to that document, perhaps in the belief that it may be of relevance to the document, a copy of his April 8, 2022 application pursuant to the Hague Convention and he has also appended correspondence sent by him to the Child and Family Services Department in the Province of Manitoba in May 2001. I fail to see any relevance of either of those documents. Accordingly, even if the document had met the filing requirements found in Rules 13-20 to 13-25, I would have not accepted the document for filing as it bears

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no relevance in any of the matters before the court.

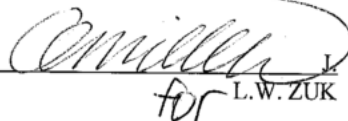
[15] Essentially, I am not satisfied that Mr. Richardson has any valid basis for requesting his adjournment. I am not satisfied that he suffers from any medical condition that prevents his addressing the substantive matters before the court. I will not deal with the substantive matters on today's date. It is fair and appropriate to Mr. Richardson to be made aware that his request has been denied and that the substantive matters will be addressed at Chambers in Battleford on Thursday, May 5, 2022, at 10:00 a.m., or so soon thereafter as the matter may be heard.

[16] A copy of my fiat of today's date shall be forwarded by the Local Registrar's office to Mr. Richardson at the email address which he has been using to correspond with the court. A copy is also to be sent to Ms. Meiklejohn.

[17] Accordingly, Mr. Richardson's request for an adjournment is denied. The substantive matters are adjourned to Thursday, May 5, 2022, at 10:00 a.m.

[18] A secondary reason for not addressing the substantive matters today is the fact that the entirety of the file is not presently before me, and in the event that reference is required to any of the material filed from the date of the petition to today's date, it is appropriate that the entire file be before me in Chambers.

[19] As Mr. Richardson's request for an adjournment has been denied, costs in the amount of \$500 are entirely reasonable and appropriate. Mr. Richardson has bombarded the court and the petitioner with voluminous material. Three or four of the applications are applications launched by him for which he has sought adjournment and has been unsuccessful. The costs associated with those matters will be addressed on the May 5, 2022 Chambers date. Costs in the amount of \$500 with respect to Mr. Richardson's failed adjournment application are assessed against him and payable in favour of the petitioner within 30 days.

  
for L.W. ZUK

Addendum

Subsequent to Chambers, court staff listened again to the telephone call between the court clerk and Mr. Richardson and, although indistinct, Mr. Richardson commented to the effect that there was a doctor's note and that he "can't do this". There is nothing contained in these additional comments that cause me to reconsider any portion of my ruling. I have prepared this Addendum to provide an accurate reflection of events occurring at Chambers on this date.

**DIV 70 of 2020 JCB**

***Kimberley Anne Richardson v Dale James Richardson***

Patricia J. Meiklejohn for the petitioner, Kimberley Anne Richardson, by telephone  
Ms. Richardson present by telephone  
no one appearing for the respondent, Dale James Richardson

FIAT - May 5, 2022 - ZUK J.

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[1] The record will indicate that what appears to be Mr. Richardson's nephew hung up the phone at 11:20 a.m. after the court requested that he have his uncle, Dale Richardson, come to the phone. The nephew, who refused to provide his name when asked, advised that the matter before the court was the subject of a criminal investigation of which I, Justice Zuk, am presumably one of the subjects of the investigation. The unnamed gentleman also suggested that I recuse myself of this matter given that I am the subject of some unspecified criminal investigation. When asked if he had been directed by his uncle, Dale Richardson, to make these comments, he said no he had not, and hung up the phone. The number that we contacted on today's date is Mr. Dale Richardson's number and the number by which he has been contacted for all previous court proceedings. To the extent that the unnamed nephew was acting as agent for Mr. Dale Richardson in making a recusal application, I deny the application on the following grounds:

[2] A review of the material filed by Mr. Richardson establishes that he has commenced action against, or has referred for investigation to the International Criminal Court, every judge in Saskatchewan at the Court of Queen's Bench who has made a substantive order in these proceedings. None of the material filed by Mr. Richardson has a shred of credible evidence that any judges of this court, or judges of courts of other jurisdictions, including the Alberta Court of Appeal, the Federal Court of Canada, and the Federal Court of Appeal, have been engaged in any form of criminal behaviour which Mr. Richardson generally describes as torture, terrorism, treason, the attempted cover up of child abuse, or any of the other fanciful allegations made by Mr. Richardson.

[3] A review of Mr. Richardson's material establishes that there is no factual basis for the allegations levied against me. I am unaware of being named as a defendant in any litigation. I am unaware, other than having been advised by Mr. Richardson, that I am the subject of an investigation by the International Criminal Court. I am aware of my obligation pursuant to the Ethical Principles for Judges that I recuse myself from any case in which I have a conflict of interest or the perception of a conflict of interest. I have recused myself in other cases where there has been evidence that a conflict of interest may exist or may proceed to exist. In my view, there is no such evidence in any of the approximately 5,600 pages of material filed by Mr. Richardson nor would any

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reasonable person having knowledge of the circumstances have any reason to believe that I would be bias toward Mr. Richardson or in any conflict of interest. I am satisfied that I have not engaged in any behaviour that would warrant a referral to the International Criminal Court, or any criminal behaviour of any sort. I find Mr. Richardson's threats of having the matter referred to the International Criminal Court, or to take legal action against me, as colourable attempts at judge shopping. I take some small degree of comfort that I am not alone as having been alleged of wrongdoings by Mr. Richardson. All judges of this court who have made substantive orders have been the subject of similar threats by Mr. Richardson. Mr. Richardson has filed material in which he has named Judge Horner in Alberta as a defendant in proceedings. It is clear that Mr. Richardson has engaged in a course of behaviour to intimidate, or attempt to intimidate, the court. There is no basis for his application that I recuse myself. Accordingly, his recusal request, to the extent that it was made through his unnamed nephew, is denied.

[4] It is clear that Mr. Richardson is refusing to take a call on today's date. He similarly refused to address the matter in Chambers conducted by me on April 26, 2022. It is Mr. Richardson's wilful decision not to participate in proceedings today. I see no reason to adjourn proceedings to allow Mr. Richardson any further opportunity to appear. He has as recently as today attempted to file material at the Local Registrar's office. The Local Registrar advised me by email that Mr. Richardson submitted an email to the Local Registrar's office on today's date. I was in a scheduled meeting this morning and did not have an opportunity to review Mr. Richardson's material in any depth, however, I did conduct a cursory review of the material. One document attempted to be filed by Mr. Richardson is a letter addressed to Candice Bergen alleging corruption by the Canadian Judicial Council. The second document is an 891 page document entitled, Continued Treason. A review of the document shows that it contains many of the same documents previously filed by Mr. Richardson, none of which bear any relevance to any of the issues before the court on today's date.

[5] I refer to the documents received by the Local Registrar's office on today's date not because they are filed for today's proceedings, but simply as a further attempt by Mr. Richardson to bombard the court with voluminous material literally on the morning on which his applications are to be heard. The Registrar provided the email to me as a courtesy. It is my expectation that the documents will not be accepted for filing by the Local Registrar as there is no provision in the Rules for the electronic filing of documents. Additionally, the material was filed late, and a review of the material establishes that the material is not in the form of an affidavit, brief of law, or other acceptable form of document to be accepted by the court. Thirdly, the document does not appear to have been served on the petitioner, or counsel for the petitioner, or at the very least, no affidavit of service was submitted with the documents. Accordingly, the documents shall not form part of the court record nor shall they form any part of any

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decision arising from the matters before me today.

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J.  
L.W. ZUK

**diminution**COURT OF QUEEN'S BENCH FOR SASKATCHEWAN

DIV 70 of 2020 - JCB

*Kimberley Richardson v Dale Richardson*

Patricia J. Meiklejohn      for Kimberley Richardson (petitioner)  
Dale Richardson            on his own behalf (respondent)

FIAT - July 22, 2022 - ZUK J.

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[1]            On May 5, 2022 I reserved decision on the various applications before the court. The applications were heard in the absence of Dale Richardson [Mr. Richardson] given his unwillingness to participate by telephone. I will address each application separately.

**Application #1 – Mr. Richardson’s Application to Vary the interim order granting interim sole custody of Karis Kenna Nicole Richardson to Kimberley A. Richardson (the petitioner) made July 23, 2020**

[2]            On July 23, 2020 Mr. Justice Elson made an interim order placing the child Karis Kenna Nicole Richardson, born February 9, 2019 [Karis] in the primary care and with sole custody to Kimberley A. Richardson [Ms. Richardson]. Mr. Richardson was granted supervised access to Karis. The issue of parenting was adjourned to August 27, 2020 for review.

[3]            The parenting review was adjourned on August 27, 2020 to allow Mr. Richardson an opportunity to file material. The review was further adjourned on October 1 to provide Mr. Richardson with additional opportunity to file material. The matter was further adjourned on October 15 to provide Mr. Richardson with yet another opportunity to file material.

[4]            Mr. Richardson sought leave to extend the time to appeal Justice Elson’s order, however his application was denied by the Court of Appeal on October 28, 2020. Accordingly, Justice Elson’s order remains in effect.

[5]            The review application was heard by me on November 26, 2020 with my decision released on December 11, 2020. I declined to make any change to Justice Elson’s interim order on the basis that the minimal relevant evidence provided by Mr. Richardson did not provide any fresh evidence, when considered with the evidence available at the original hearing, that warranted any change in Justice Elson’s order.

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[6] The parenting issue remained in abeyance until Mr. Richardson filed his current application for variation of Justice Elson's interim order. Mr. Richardson seeks an order of interim sole custody of Karis. Although it is not set out in his material, I am proceeding on the assumption that he is also seeking to be named as Karis's primary caregiver. Mr. Richardson has filed his affidavit sworn February 22, 2022 in support of his application. The affidavit consists of 73 paragraphs contained within 38 pages. Appended to his affidavits are three exhibits. Exhibit A consists of Mr. Richardson's December 8, 2021 paper submitted to the American Society of Heating, Ventilation and Air Conditioning Engineers to meet the requirements of a student paper competition. The paper addresses heating, ventilating and air conditioning in significant detail however absolutely none of the material has any relevance to parenting issues.

[7] Exhibit B consists of material filed by Mr. Richardson filed at the Court of Appeal for Saskatchewan respecting his application to adduce fresh evidence for a writ of habeas corpus. None of the material respecting Mr. Richardson's application for a habeas corpus bears any relevance to Mr. Richardson's application for sole interim decision-making and primary care of Karis.

[8] Exhibit C consists of Mr. Richardson's purported application to the International Criminal Court dated February 14, 2022. Once again, the material is largely irrelevant to Mr. Richardson's variation application. I was able to find inferential reference to Karis on page 766(a) in volume 1(B) where Mr. Richardson reproduced my December 11, 2020 written decision respecting my review of original parenting order.

[9] Also appended as part of Exhibit C is what purports to be a transcript of proceedings in chambers at Battleford on November 26, 2020. I note that the transcript appears to have been prepared from a recording made by Mr. Richardson. If so, Mr. Richardson recorded the chamber proceedings without having sought leave of the court to do so. Nonetheless, a transcript of court proceedings on November 26 is not evidence and is not relevant to Mr. Richardson's variation application.

[10] I have scoured Mr. Richardson's material for any relevant evidence with respect to his application. He has filed seven volumes of material, almost all of which contain layer upon layer of page numbers making it practically impossible to locate material referred to in the index created by Mr. Richardson. The seven volumes contain 3,948 pages of material, almost all of which is focused on allegations by Mr. Richardson that he has been subjected to torture and his attempts to obtain redress from various courts including Saskatchewan Court of Queen's Bench, Court of Appeal for Saskatchewan, the Supreme Court of Canada, Supreme Court of the

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United States and the International Criminal Court. He also appends material respecting applications made in the Federal Court of Canada, the Federal Court of Appeal of Canada, the United States Court of Appeals for the Tenth Circuit, interspersed with material relating to the corona virus pandemic, world economic issues, Masonic Temple conspiracies, allegations of treason, perjury, Law Society complaints and other matters equally irrelevant to the application currently before the court.

[11] Mr. Richardson has appended a Notice of Appeal respecting my decision made December 11, 2020 in which he appeals the entirety of my order.

[12] I have also reviewed an affidavit sworn by Mr. Richardson on April 4, 2022. I am unable to discern whether this affidavit was filed in support of Mr. Richardson's variation application or in response to Ms. Meiklejohn's application to strike Mr. Richardson's application or whether it was filed in support of Mr. Richardson's application to vary Justice Hildebrandt's order permitting the sale of the former family home. I will apply Mr. Richardson's affidavit to all the applications before me. Mr. Richardson's affidavit remains focused on his allegations of torture along with his complaints with respect to the manner in which Justice Karen Horner dealt with a matter in the Alberta Court of Queen's Bench. In any event, the only reference in his April 4, 2020 affidavit relating to Karis are contained in paragraphs 12-15 which are reproduced as follows:

12. The Attorney General of Canada acting through Jessica Karam was caught committing perjury in a document sent to Court of Queen's Bench for Alberta on March 16, 2022 to have the 2201-02896 declared a vexatious proceeding, but the letters proved that the Attorney General of Canada was using its position to shield criminal activity to put me in a position of extreme prejudice; (See Exhibit D: Statement of Facts Judicial Review)

13. The Attorney General of Canada acting through Jessica Karam was caught shielding evidence that suggests child molestation and keeping my daughter in a situation where she is at increased risk of molestation having knowledge of sworn testimony of me being present when a child who is cousin to Karis Kenna Nicole Richardson was caught trying to insert his penis into the mouth of another child, and proceeded to call testimony that suggests child molestation vexatious; (See Exhibit E: Texas Package)

14. As a result of the fear for my safety and the safety of my family because I have attempted to report the freemasons for treason in the United States and the attempt made on my family and I December 30, 2021 at Coutts AB, and the continued persecution I have endured having criminal shielded from their crimes by the judiciary and punishing me because I do not want to be victimized by their crimes



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or killed, I have made a petition to the United States to ask for protection as no Court has protected me from torture or other gross crimes, and has left my daughter with who I believe to be a narcissistic person who has demonstrated no remorse, who participated in torturing me to obtain the child and other gross crimes to punish me for not submitting to her will who has masonic connections; (See Exhibit E: Texas Package)

15. The Attorney General of Canada acting through Jessica Karam is now removing consent to electronic service in all matters that the Attorney General of Canada is involved in with me to delay adjudication of these matters and to delay exposure of shielding their criminal activity in the courts and having sworn testimony that suggests child molestation and preventing any investigation to the same; (See Exhibit F: Removal of Consent)

[13] Other than the oblique reference to Karis contained in paragraphs 12-14, there is no relevant evidence in the several hundred pages of material that can even remotely assist the court respecting Mr. Richardson's application.

[14] In a similar vein, Mr. Richardson filed a several hundred page volume of material which appears to be a copy of an originating application filed in the Court of Queen's Bench in Alberta with Dale J. Richardson as the applicant and Justice Karen Horner, the Attorney General of Canada for the RCMP and Kimberley Richardson as respondents. The volume of material is not in affidavit form. The unfocused package of material also encloses material copied from the Saskatchewan Court of Queen's Bench file, material filed in the Federal Court of Canada, unofficial transcript of proceedings before Justice Karen Horner, along with other material equally unrelated to the matters before this court including an affidavit filed by Ian McArthur in the Federal Court of Canada seeking an order declaring Mr. Richardson a vexatious litigant. After reviewing the several hundred pages contained in the material filed which Mr. Richardson attempted to file on the within file, I can find no evidence relevant to the current application or any of the additional applications before the court which I will address further in this decision.

[15] Mr. Richardson's affidavit of February 22, 2022 is rambling, unfocused and for the most part completely irrelevant to any of the applications before the court. Mr. Richardson explains in significant detail his interaction with Customs and Border Protection officers while attempting to enter at the United States. He alleges that he was tortured by members of the US Immigration Customs and Enforcement personal. He refers to hearings before the Federal Court of Canada. He refers to being tortured by forced medical treatment in Canada and his efforts to obtain protection under the Convention Against Torture [sic] and various levels of courts in both Canada and the

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United States. Mr. Richardson's focus may best be described by reference to paragraph 57 of his affidavit which states as follows:

57. On November 8, 2021 an email was sent from Astra Richardson-Pereria's email to a substantial number of advisors at the innovation credit union. The email contained evidence of mortgage fraud committed by Justice R.W. Elson, Clifford A. Holm, Kimberley Richardson, Patricia J. Meiklejohn. There were a number a parties that conspired and shielded the mortgage fraud. These parties includes without limitation, Vigil Thomson, Cheryl Giesbrecht, Chantalle Eisner, Annie Alport, Bruce Comba, Justin Stevenson, Prothonotary Mirelle Tabib, Justice J. Kalmakoff, Justice Rene LeBlanc, and Justice Vanessa Rochester. The judges all had indisputable evidence of torture, mortgage fraud, treason, crimes against humanity and genocide placed before them. Every judge punished me for making complaints of those crimes and continued to place me in a position where I would be destroyed by the other parties for trying to relieve myself of the persecution, torture and other crimes directed against me. I live in constant fear of what these parties have done. My family live in fear of what will be done as they have witnessed the continual punishment that I have been subjected to. My family has been tortured having witnessed by torture on a number of occasions. My family has suffered persecution as a result as well. It is unreasonable for my family to be punished continually as they have done nothing wrong.

[16] The only references in Mr. Richardson's affidavit to his daughter are contained in paragraphs 58 to 60 of his affidavit reproduced as follows:

58. I have not seen my daughter Karis for a year and a half. Justice R.W. Elson issuing his unlawful orders that broke numerous laws stripped me of my home, all of my belongings, my implements of work as a mechanical engineering technologist, my tools to work as a heavy duty mechanic, all of my materials for school, and all connection to my daughter Karis. I am fearful of being tortured and killed if I returned to Saskatchewan without the perpetrators being arrested. When I was stripped of everything that I have it was extremely prejudicial to make me drive 8 hours to Saskatoon after the Court of Queen's Bench for Saskatchewan stripped me of everything that I have. When Justice Zuk ignored evidence the [sic] Kimberley A. Richardson committed perjury and that she is extremely abusive and has taken steps to place me at a disadvantage and deprive me of rights, he ignored it completely and refused to change the custody arrangement. He denied the evidence and lied in his orders. He punished me by ordering me to pay child support for a child that I cannot see and with full knowledge that Justice R.W. Elson stripped me of everything that I had. This is torture. There was

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no reason for Justice Zuk to act with such extreme prejudice to me. Justice J. Kalmakoff punished me and ruled in favour of the party that had no argument. Justice J. Kalmakoff shielded mortgage fraud and had evidence presented to him of crimes committed Kimberley A. Richardson, Patricia J. Meiklejohn, the RCMP, SHA, Justice R.W. Elson and a number of other parties and still ruled in their favour. His actions demonstrated that crimes committed against black people are a lawful sanction. That is evidence of an apartheid system operating within Canada. I have been completely traumatized and have suffered extreme anguish from the continued persecution that could only continue with the consent, instigation and acquiescence of the judges. I am horrified at the thought of having to go in front of another judge to have them violate my rights. I do not feel safe anywhere in Canada and it is completely unfair to allow crimes to be committed against me with impunity. This is why I have to complain to the International Criminal Court. What me and my family and Robert A. Cannon have been subjected to is Crimes against Humanity and genocide. It is also torture and persecution and many other prohibited areas. I am not safe.

59. I am completely horrified at the fact that Kimberley A. Richardson could do this to her own child. Kimberley A. Richardson has demonstrated that she is completely unfit to parent a child when she would leave the child's parent to be tortured and potentially killed to satisfy her rage. She is without a conscience I am even more horrified that the parties at the North Battleford SDA church who involved themselves in this would commit such egregious crimes and use the church as a cloak for their crimes.

60. I cannot continue to live like this. This intense persecution will kill me if it is not checked and I am completely fearful of what will be done to me if the people doing this are not stopped.

[17] Lastly, I have reviewed Mr. Richardson's affidavit sworn on April 1, 2022. This affidavit is equally devoid of any evidence relating to Karis or his ability to parent Karis.

[18] Mr. Richardson's material is noteworthy in what it does not contain, namely any evidence of Mr. Richardson's current living arrangements, his relationship with his daughter, any attempts to have parenting time with his daughter or any information regarding his daughter whatsoever. Mr. Richardson does not provide a shred of relevant evidence in the over 5,000 pages of material filed relating to parenting issues. Regrettably, Mr. Richardson remains focused on generalized complaints of torture, treason, fraud and other abuses at the hands of virtually every level of court in which he has been involved and his allegations of the coverup of crimes and mistreatment at the hands of police agencies, border and immigration authorities, banking officials and medical professionals.

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[19] A court may review a previous parenting order without the applicant having established a material change since the making of the initial order. A judge, on review, simply requires evidence of something different such that the previous order is obsolete and an adjustment is required in light of the totality of the circumstances as well as the evidence of change (see *Agiortitis v Agiortitis*, 2011 SKQB 257). In circumstances where a review has not been ordered, an applicant may apply for a variation of an original order where the applicant can establish a material change in circumstances since the making of the first order that was not reasonably contemplated in the making of the first order. Then the court must conduct a fresh analysis respecting the child's best interests taking into account the change in circumstances. Although Mr. Richardson brings his application as a variation application, I am proceeding on the basis that his application is actually the less onerous review process.

[20] Mr. Richardson has provided absolutely no evidence warranting any change to Justice Elson's parenting order. Mr. Richardson's inability to address parenting issues and his focus on matters entirely irrelevant to parenting simply act to reinforce the wisdom and continued applicability of Justice Elson's order.

[21] Accordingly, even considering Mr. Richardson's variation application as a less onerous review application, his application is dismissed.

[22] This is Mr. Richardson's second unsuccessful attempt to review Justice Elson's order. Further review applications are not in Karis's best interests and Mr. Richardson's right of review is not extended.

**Application # 2 – Mr. Richardson's application to vary Justice Hildebrandt's order made February 19, 2021 authorizing sale of the family home**

[23] The order made by Justice Hildebrandt is not an order that may be the subject of a variation application. The *Divorce Act*, RSC 1985, c 3 (2<sup>nd</sup> Supp) contemplates the making of a variation application with respect to decision-making and parenting pursuant to s. 17(1). Similarly, *The Children's Law Act, 2020*, SS 2020, c. 2 provides for the variation of a parenting order pursuant to s. 8(4).

[24] However, there is no provision for variation of an order made pursuant to *The Family Property Act*, SS 1997, c F-6.3. Mr. Richardson's remedy was an appeal to the Court of Appeal for Saskatchewan pursuant to s. 55 of *The Family Property Act*. Accordingly, Mr. Richardson's application is dismissed with costs.

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**Application # 3 – The Petitioner’s application to strike Mr. Richardson’s application varying the interim order and striking the entire affidavit of Dale Richardson sworn February 22, 2022**

[25] First, it is necessary to properly characterize Mr. Richardson’s application. Mr. Richardson makes application to vary Justice Elson’s interim order made July 23, 2020. This is his second such application.

[26] By a decision made December 11, 2020, I denied Mr. Richardson’s first application to review Justice Elson’s decision. Mr. Richardson has appealed my December 11, 2020 decision which remains outstanding at the Court of Appeal. While Ms. Richardson is correct that Mr. Richardson may not apply for a remedy that is already before the Court of Appeal, it is my view that Mr. Richardson is not applying to vary my order but is applying for a review of Justice Elson’s order.

[27] My December 11 decision did not result in any variation of Justice Elson’s interim order, however I did not make any order prohibiting any further review. Accordingly, the right of review granted by Justice Elson remained in place when Mr. Richardson made his application. Although he brought his application as a variation application, the application is appropriately a review application. Accordingly, Mr. Richardson’s review application is properly before the court. I have dismissed his review application for reasons previously stated. As such, I decline to strike his application as it is not a duplication of an appeal currently before the Court of Appeal.

[28] Nor am I prepared to grant Ms. Richardson’s application to strike Mr. Richardson’s material as being redundant, scandalous, frivolous or vexatious and irrelevant. Although the affidavit material filed by Mr. Richardson consists of material entirely irrelevant to his application pursuant to Rules 13-30(1) and Rule 15-46(1), (2) and (3), I find that little benefit would result from striking Mr. Richardson’s affidavit material. Were I to do so, I would be compelled to strike Mr. Richardson’s review application on the basis that his application lacked supporting affidavit material as required by Rule 6-2. His application would be dismissed for non-compliance with the Rules rather than on the merits of his application. This would simply pave the way for Mr. Richardson to make a further review application with every likelihood that the application would be supported by the same affidavit material. This would put Ms. Richardson to the cost of defending a similar future application.

[29] Instead, I allow Mr. Richardson’s material to remain on file and I have ruled on his application based on the merits. I have dismissed his review application

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on the basis that the affidavit evidence provided by him does not warrant any change in the original interim order. The Petitioner's application to strike Mr. Richardson's application and affidavit material is dismissed.

**Application # 4 – The Petitioner's application to dismiss Mr. Richardson's application to vary Justice Hildebrandt's final order and strike Mr. Richardson's supporting affidavit material**

[30] For reasons previously stated, I have dismissed Mr. Richardson's application to vary Justice Hildebrandt's order permitting sale of the family home as his remedy is an appeal.

[31] I also decline to grant the Petitioner's application to strike Mr. Richardson's affidavit filed in support of his application. To be clear, it is not at all obvious whether Mr. Richardson's affidavit sworn April 1, 2022, his affidavit sworn April 4, 2022 or the unsworn package of material submitted to the local registrar's office for filing on DIV 70 of 2020 relate to Mr. Richardson's application to review Justice Elson's parenting order or whether they are filed in support of his application to vary Justice Hildebrandt's order. To be fair to Mr. Richardson, I am considering the affidavits of April 1 and April 4 as well as the unsworn package of material to be filed in support of both of Mr. Richardson's applications. I have commented on the relevance of his affidavit material and found it to be lacking any cogency in relation to either of his applications. For reasons previously stated, I have chosen to allow his material to remain on file and have considered his affidavit material in respect of both his applications, both of which were dismissed. The Petitioner's application to strike Mr. Richardson's variation application and affidavits is dismissed.

**Application # 5 – The Petitioner's application for judgment for divorce**

[32] Ms. Richardson seeks a judgment for divorce with an order adjourning the division of family property *sine die*.

[33] The application was served on Mr. Richardson on March 30, 2022. Ms. Richardson brings the application for divorce on the basis that the proceeding is uncontested as Mr. Richardson had not filed an Answer or Answer and Counter-Petition.

[34] A review of the file establishes that Mr. Richardson had not filed any Answer or Answer and Counter-Petition by March 30, 2022. However, likely through oversight, Mr. Richardson had not been noted for default of Answer. Mr. Richardson,

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since being served with the divorce application, has attempted to file an Answer and Counter-Petition.

[35] The Answer and Counter-Petition was signed by Mr. Richardson April 1, 2022. Mr. Richardson is attempting to file an Answer and Counter-Petition after having been served with a notice of application for judgment in an uncontested proceeding. This is nothing less than a colorable attempt to delay proceedings and to take advantage of an oversight in omitting to note Mr. Richardson for default of Answer.

[36] I note that Rule 15-19(2) provides that the Answer may be filed anytime prior to the respondent being noted for default. However, the Answer and Counter-Petition purportedly filed by Mr. Richardson fails to comply with Rule 15-19(4). Mr. Richardson has also failed to provide proof of service of the Answer and Counter-Petition on Ms. Richardson as required by Rule 15-19(2) in Form 12-15. The local registrar has quite properly not accepted Mr. Richardson's Answer and Counter-Petition. Accordingly, the Answer and Counter-Petition, having been rejected for filing by the local registrar, are not part of the court file.

[37] Nor can I find any cogent reason to cure the significant defects in Mr. Richardson's Answer and Counter-Petition pursuant to Rule 1-6(1)(a) to permit the filing to occur. On the contrary, pursuant to Rule 1-6(4)(d), I conclude that it is not in the overall interests of justice to do so as it would only hinder, delay and add additional expense to the Petitioner to obtain a remedy also sought by Mr. Richardson. Although his Answer and Counter-Petition are not filed in this proceeding, I note that Mr. Richardson also sought the granting of a divorce.

[38] Mr. Richardson has embarked on a course of action intended to hinder, delay, and defeat the course of justice by launching frivolous and baseless applications that resulted in significant expenditures of time and money by Ms. Richardson. Mr. Richardson's behavior cannot be condoned by the court. I have determined that Mr. Richardson's applications have been completely devoid of merit.

[39] The local registrar was correct not to accept Mr. Richardson's Answer and Counter-Petition for filing for the reasons previously stated. Accordingly, the six copies of Mr. Richardson's Answer and Counter-Petition are to be returned by the local registrar to Mr. Richardson by ordinary mail addressed to Mr. Richardson at the address for service contained in the documents to be returned 60 days following the date of my decision. However, the local registrar shall make a photocopy of the Answer and Counter-Petition to be retained on file in a separate envelope to maintain a record of the material attempted to be filed by Mr. Richardson.

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[40] Accordingly, a judgment for divorce and an order adjourning the application for division of property pursuant to the *Family Property Act* on a *sine die* basis may issue in the form of the draft filed.

**Application # 6 – Mr. Richardson’s application to dispense with service and 15 additional requests for relief enumerated therein returnable April 14, 2022**

[41] The local registrar did not accept Mr. Richardson’s application for filing although the application was retained on file for my review. The local registrar properly rejected filing of Mr. Richardson’s application for the following reasons:

1. There is no affidavit in Form 12-15 accompanying the material establishing proof of service;
2. In the irregular affidavit of service sworn by Mr. Richardson, he states that he served Ms. Meiklejohn with the application to dispense with service on April 4 by sending it to her at [e-ulmer@mckercher.ca](mailto:e-ulmer@mckercher.ca). It is patently obvious that Ms. Meiklejohn’s email address throughout the proceedings is [patriciam@matrixlawgroup.ca](mailto:patriciam@matrixlawgroup.ca). Accordingly, I am not satisfied that service was ever affected on Ms. Meiklejohn as counsel for the petitioner;
3. Mr. Richardson, in his irregular affidavit of service, deposes that he served Ms. Meiklejohn on April 1 with an application dated April 1. I am unable to find any application dated April 1. The application to dispense with service along with 14 other requests for corollary relief is dated April 3, 2022.

[42] Accordingly, the local registrar is directed to return both copies of the notice of application to Mr. Richardson by regular mail at the address for service indicated on his documents at the 60 days following this decision. The local registrar shall retain a photocopy of the material in a separate envelope for the purpose of maintaining a historical record of the material attempted to be filed by Ms. Richardson.

**Costs**

[43] Ms. Richardson seeks costs of her successful application for divorce and costs associated with defending Mr. Richardson’s unsuccessful applications. Ms. Richardson has been entirely successful in these proceedings and is entitled to costs which I set as follows:



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1. Mr. Richardson's unsuccessful review application of Justice Elson's parenting order - \$1,500;
2. Mr. Richardson's unsuccessful application to vary Justice Hildebrandt's order approving sale of the former family home - \$1,500;
3. Ms. Richardson's successful application for divorce - \$1,000.

[44] Ms. Richardson's applications to strike Mr. Richardson's applications and his affidavit material are dismissed without costs. Mr. Richardson took no steps to file any material in response to the Petitioner's applications and her applications to strike would have otherwise been successful except for my taking the position that Mr. Richardson's applications should be heard on the merits.

  
J.  
L.W. ZUK



COURT FILE NUMBER DIV NO. 70 OF 2020  
 COURT OF QUEEN'S BENCH FOR SASKATCHEWAN  
 (FAMILY LAW DIVISION)  
 JUDICIAL CENTRE BATTLEFORD  
 PETITIONER KIMBERLEY ANNE RICHARDSON  
 RESPONDENT DALE JAMES RICHARDSON

Before the Honourable

Mr. Justice L.W. Zuk

July 22, 2022

**JUDGMENT**

This proceeding coming on before the Court this day at Battleford, Saskatchewan, in the absence of the parties and their lawyers, upon proof of service being established, and upon considering the pleadings and the evidence presented.

1. THE COURT ORDERS THAT Kimberley Anne Richardson and Dale James Richardson who were married on the 3<sup>rd</sup> day of July, 2016, are divorced and, unless appealed, this Judgment takes effect and the marriage is dissolved on the 31<sup>st</sup> day after the date of this Judgment.
2. AND THE COURT FURTHER ORDERS THAT the matter of division of family property is severed and adjourned *sine die*.

ISSUED at Battleford, Saskatchewan this 9 day of August, 2022.

  
 LOCAL REGISTRAR

**NOTICE**

The spouses are not free to remarry until this judgment takes effect, at which time any person may obtain a Certificate of Divorce from this Court. If an appeal is taken from this judgment it may delay this judgment taking effect.

**CONTACT INFORMATION AND ADDRESS FOR SERVICE**

Matrix Law Group; Attn: Patricia J. Meiklejohn; 1421 101<sup>st</sup> Street, North Battleford SK S9A 1A1  
 Telephone number: (306) 445-7300; Fax number: (306) 445-7302; Email Address: patriciam@matrixlawgroup.ca;  
 File Number: 63095-412 PJM

DIV NO. 70 2020

CANADA  
PROVINCE OF  
SASKATCHEWAN



IN THE QUEEN'S BENCH  
JUDICIAL CENTRE OF BATTLEFORD

**CERTIFICATE OF DIVORCE**

This is to certify that the marriage of Kimberley Anne Richardson and Dale James Richardson, which was solemnized on the 3<sup>rd</sup> day of July, 2016, was dissolved by a judgment of this Court, which became effective on the 22 day of August, 2022.

DATED at Battleford, Saskatchewan, this 22 day of August, 2022.



  
Local Registrar

[1] In advance of the hearing scheduled for Thursday, November 3, 2022, the Court has directed the Registrar to advise the parties that:

- (a) it will deal first with the show cause matters (CACV3745 and CACV3798), then with Mr. Richardson's two applications for prerogative relief (CACV4048) and finally with the vexatious litigant referral pursuant to Rule 46.3.
- (b) in each of the above noted matters, the Court will first hear from Mr. Richardson, followed immediately by the respondent(s). All parties will be limited in the amount of time permitted for their submissions and the Court directs that each party or counsel prepare their oral submissions accordingly.
  - (i) Mr. Richardson's submissions in the two show cause matters (CACV3745 and CACV3798) are to be no longer than 15 minutes each, and counsel for Ms. Richardson shall likewise have a maximum of 15 minutes to respond for each of the show cause matters [total time: 60 minutes maximum];
  - (ii) Mr. Richardson's submissions in the two applications for prerogative relief (CACV4048) are to be no longer than 15 minutes each, and collectively all respondents shall have a maximum of 30 minutes to respond to both applications for prerogative relief [total time: 60 minutes maximum]; and,
  - (iii) Mr. Richardson's submissions in the vexatious litigant proceedings pursuant to Rule 46.3 are to be no longer than 30 minutes, and collectively all respondents shall have a maximum of 30 minutes to respond to Mr. Richardson's submissions [total time: 60 minutes maximum].
- (c) in considering the question of whether Mr. Richardson should be found to be a vexatious litigant, the Court will have regard to the content of the files in all of the proceedings that Mr. Richardson has initiated in this Court and it may have regard to some or all the reported decisions in the court proceedings in which Mr. Richardson has been involved in Alberta, the Federal Court, the Federal Court of Appeal and the United States;

[2] The Court has also directed that all parties be provided with the following materials to assist with preparing for the hearing:

- (a) excerpt from The Honourable Stuart J. Cameron, *Civil Appeals in Saskatchewan: The Court of Appeal Act and Rules Annotated* at pp 68–69, referring to authorities with respect to the Court’s approach to the exercise of its jurisdiction under s. 11 of *The Court of Appeal Act, 2000*, SS 2000; and
- (b) a copy of 6517633 *Canada Ltd. v Norton (Rural Municipality)*, 2019 SKCA 45, a decision outlining how the Court approaches show cause proceedings.

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**Court of Appeal for Saskatchewan**

**Citation: *Richardson v Richardson*,  
2022 SKCA 133**

**Date: 2022-11-18**

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**Docket: CACV3745**

Between:

**Dale Richardson**

*Appellant  
(Respondent)*

And

**Kimberley Richardson**

*Respondent  
(Petitioner)*

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**Docket: CACV3798**

Between:

**Dale James Richardson**

*Appellant  
(Respondent)*

And

**Kimberley Anne Richardson**

*Respondent  
(Petitioner)*

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**Docket: CACV4048**

Between:

**Dale J. Richardson**

*Applicant/Appellant  
(Respondent)*

And

**Kimberley Anne Richardson**

*Respondent/Respondent  
(Petitioner)*

And

**Amy Groothuis, Unknown registrars of the Court of Appeal for Saskatchewan,  
Justice Zuk, the Registrar of Titles, and the Attorney General of Saskatchewan**

*Respondents*

And

**Assistant Commissioner Rhonda Blackmore of the Royal Canadian Mounted Police  
(F-Division), Jessica Karam, the Ministry of Health, and the Saskatchewan Health  
Authority**

*Respondents*

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Before: Richards C.J.S., Schwann and McCreary J.J.A.

Disposition: CACV3745 and CACV3798 – Appeals dismissed  
CACV4048 – Applications dismissed

Written reasons by: The Honourable Chief Justice Richards  
In concurrence: The Honourable Madam Justice Schwann  
The Honourable Madam Justice McCreary

On appeal from: DIV 70 of 2020, Battleford  
Appeal heard: November 3, 2022

Counsel: Dale Richardson appearing on his own behalf  
Patricia Meiklejohn for Kimberley Richardson on CACV3745,  
CACV3798 and CACV4048  
Justin Stevenson for the Attorney General of Saskatchewan,  
Amy Groothuis and the Registrar of Titles on CACV4048  
Cailen Brust for Rhonda Blackmore and Jessica Karam on CACV4048  
Chantelle Eisner for the Saskatchewan Health Authority on CACV4048

**Richards C.J.S.**

**I. INTRODUCTION**

[1] This decision addresses four matters: two show cause applications and two applications for prerogative relief.

[2] The show cause applications concern appeals initiated by Dale Richardson from decisions made by what was then the Court of Queen’s Bench in family law proceedings involving him and his former wife, the respondent Kimberley Richardson. As explained below, both of those appeals must be dismissed because Mr. Richardson has failed to establish that it is in the interests of justice that he be allowed to prosecute them to a conclusion.

[3] The applications for prerogative relief concern various grievances that Mr. Richardson has against the alleged actions of a number of individuals ranging from the Registrar of Titles to an Assistant Commissioner of the Royal Canadian Mounted Police. As explained below, those applications must be dismissed as well.

**II. THE SHOW CAUSE APPLICATIONS**

**A. Appeal CACV3745**

[4] On December 11, 2020, a Queen’s Bench judge sitting in Chambers made an order dismissing Mr. Richardson’s applications to: (a) vary an interim parenting order, and (b) dispense with service of documents. The Chambers judge also made an order requiring Mr. Richardson to pay child support.

[5] Mr. Richardson filed a ten-page notice of appeal dated December 13, 2020, by which he took issue with “the entire Order”. Since that time, Mr. Richardson has failed to successfully complete any of the steps mandated by *The Court of Appeal Rules* [Rules] for moving his appeal forward; while he served and filed an appeal book and written argument on January 31, 2022, he subsequently demanded that those documents be removed from the Court file when he was dissatisfied with the form and content of the resulting filing fee receipt. The upshot is that he has not filed an appeal book nor a factum or written argument. He has, however, brought two



applications in this Court for prerogative relief. They were dismissed both in Chambers and on appeal to the Court proper.

[6] A pre-hearing conference was held on March 9, 2022. At that time, Mr. Richardson advised of his intention to do nothing on this file until he got a “protection order” from the courts in Alberta, without explaining what any such order might be or might achieve. He has done nothing since then to move matters forward. A show cause hearing was scheduled by way of a notice dated September 27, 2022.

[7] The approach that this Court takes in addressing show cause applications was summarized as follows in *6517633 Canada Ltd. v Norton (Rural Municipality)*, 2019 SKCA 45 [*Norton*]:

[16] Accordingly, as something of a restatement of the approach described in paragraph 14 of *Maurice Law*, let me confirm that the core question in deciding whether to dismiss an appeal as abandoned pursuant to Rule 46(2) is whether it is in the interests of justice to make such an order. If an appeal is manifestly without merit, that will be determinative of the inquiry. Otherwise, the full range of relevant factors should be weighed and considered. Those factors will generally include, but not necessarily be limited to:

- (a) the adequacy of the appellant’s reason for the delay in moving matters forward;
- (b) the extent to which the respondent has expressed concern about the delay or attempted to have the appellant advance the appeal;
- (c) the progress, if any, the appellant has made in preparing the materials necessary to perfect the appeal;
- (d) whether, and the extent to which, the respondent has been prejudiced by the appellant’s failure to move the appeal forward or will be prejudiced if the appeal is allowed to proceed; and
- (e) whether the appellant has the willingness and the capacity to comply with the deadlines that might be imposed by the Court in relation to the perfection of the appeal.

[8] All of this was explained to Mr. Richardson at the oral show cause hearing and he was then given an opportunity to address these considerations and show cause why his appeal should not be dismissed. Mr. Richardson did not speak to any of the considerations identified in *Norton* and chose, instead, to make various submissions about matters such as child trafficking, “bio weapons”, the “*Convention Against Torture*” and “The Engineering of Bioterrorism, Child Trafficking, Treason and the Crime of Aggression Update”, a document that he has authored.

[9] I find that Mr. Richardson has failed to show cause why he should be allowed to carry on with this appeal. Accordingly, it is dismissed with costs to Ms. Richardson fixed in the amount of \$500 and payable forthwith.

**B. Appeal CACV3798**

[10] On February 19, 2021, a Queen’s Bench judge sitting in Chambers made an order directing the Registrar of Titles to transfer the title of what had been the Richardsons’ family home to two individuals. The house had been sold to them pursuant to a court order providing for its disposition.

[11] Mr. Richardson filed a six-page notice of appeal on March 19, 2021. The style of cause was “DSR Karis Consulting Inc. v Court of Queen’s Bench for Saskatchewan and Kimberley Richardson” even though DSR Karis Consulting Inc. was not a party to the Chambers proceeding that gave rise to an appeal. This led to various difficulties as the Registry attempted to assist Mr. Richardson to sort out this irregularity. Again, as in CACV3745, Mr. Richardson took none of the steps required by the *Rules* to advance his appeal; an attempt to file his written argument and appeal book likewise proved unsuccessful when Mr. Richardson considered that the receipt generated upon payment of the filing fee was incorrect. He has not successfully filed an appeal book nor a written argument or factum.

[12] On March 23, 2021, almost immediately after filing his notice of appeal, Mr. Richardson did, however, apply to a Chambers judge of this Court for a stay. He therein sought to bar the transfer of the title of the family home. That application was dismissed. Mr. Richardson also filed an application for prerogative relief on March 23, 2021. It was scheduled to be heard with the appeal proper and remains outstanding.

[13] A pre-hearing conference was held on March 9, 2022. As with CACV3745, Mr. Richardson advised that he intended to do nothing on the file until he received a “protection order” from the courts in Alberta. Subsequently, nothing further happened on the file. A show cause hearing was scheduled by way of a notice dated September 27, 2022.

[14] Paralleling CACV3745, Mr. Richardson made no attempt to address the considerations identified in *Norton* when making his submissions to the Court. Rather, he insisted that the appeal had been filed by DSR Karis Consulting Inc. and that he personally could not speak to it because

he would thereby commit fraud. He advised that, as a person, he did not submit to the Court's procedure and would be calling the police.

[15] It follows from all of this that Mr. Richardson has failed to show cause why he should be allowed to carry on with his appeal. It is dismissed with costs to Ms. Richardson fixed in the amount of \$500 and payable forthwith.

### **III. THE APPLICATIONS FOR PREROGATIVE RELIEF**

[16] *Dale J. Richardson v Kimberley Anne Richardson*, CACV4048, is an appeal that Mr. Richardson filed on July 25, 2022. It takes issue with a July 22, 2022, Queen's Bench Chambers decision wherein, among other things, Zuk J. declined to vary the conditions of the interim order governing parenting issues concerning Mr. and Ms. Richardson's child and granted Ms. Richardson a judgment for divorce.

[17] Mr. Richardson has since filed two applications for prerogative relief under CACV4048. I will deal with each of them in turn.

#### **A. The First Application**

[18] Mr. Richardson's first application for prerogative relief was filed on September 11, 2022 [First Application]. It names as respondents (a) Amy Groothuis, the Registrar of this Court, (b) "Unknown registrars" of the Court of Appeal for Saskatchewan, (c) Justice Zuk, (d) the Registrar of Titles, and (e) the Attorney General of Saskatchewan. The relief sought by Mr. Richardson is framed as follows:

168. This *Motion for Writ of Mandamus Prohibition and Certiorari* is made for
  1. Compel the Registrar of Land Titles to deliver all information relating to the fraudulent transfer of the property located at 1292 95th, Street North Battleford, Saskatchewan, S9A 0G2, transfer the property located at 1292 95th Street North Battleford, SK back to the Applicant or any other party that the Applicant shall decide;
  2. An order to compel Justice J. Zuk to place the materials submitted by the Applicant by mail and received by the Court of Queen's Bench for Saskatchewan July 22, 2022 on the official court record; and the transmission he received from DSR Karis by way of fax on July 20, 2022 and any other material he has removed/excluded from the court record;

recuse himself entirely from any matter relating to the Applicant;

3. An order to compel the Executive Council of Saskatchewan to;

File and process the Application for Access for the Return of the Child Dated April 8, 2022;

4. An order to compel Amy Groothius to;

Place all communications between Dale J. Richardson on the court record;

Place all evidence and documents previously filed or attempted to be filed by Dale J. Richardson or any of his affiliates on the court record;

Recuse herself from any matter relating to Dale J. Richardson or any of his family members or affiliates;

5. An order to compel the Attorney General of Saskatchewan

to provide the Applicant with all the information requested in all of his access to information requests at no cost to the Applicant without any redaction;

to pay any and all costs associated with this motion, or any of the orders associated with it, and for the maintenance, insurance and any other cost of the property at 1292 95th, Street North Battleford until the resolution of the Appeal and any incidental matters associated with the matters subject to the mandamus and/or the appeal;

To pay the legal costs of Applicant incurred from the Attorney General of Saskatchewan failure to do the public duty required by the office of the Attorney General of Saskatchewan;

To pay the legal costs of the Applicant for any actions relating to this mandamus

To pay the costs of a full report regarding the criminally negligent guidelines to the Applicant or other person that the Applicant shall decide.

2. An Order prohibiting any registrar or agent thereof in the Court of Queen's Bench for Saskatchewan or the Court of Appeal for Saskatchewan from rejecting any document or any other evidence submitted by the Applicant for any reason; and

3. Prohibiting the registrar or any agent thereof in the Court of Queen's Bench for Saskatchewan from accepting any document from Kimberley A. Richardson or any agent acting on her behalf without notice to the Applicant;

4. An order for a writ of Certiorari to examine the judicial actions of Justice J. Zuk and any other judge related to this matter;

5. An Order with dispensing with service and ordering electronic service for the Mandamus and CACV4048.

[19] As the respondents point out, the first problem with Mr. Richardson's application is that it ignores this Court's well-established approach to the exercise of its authority in relation to prerogative relief. Section 11 of *The Court of Appeal Act, 2000*, SS 2000, c C-42.1, does, of course, provide that "[t]he court may, in its discretion, exercise original jurisdiction to grant relief in the nature of a prerogative writ". However, as was made clear to Mr. Richardson in dismissing his application for prerogative relief in *Richardson v Richardson*, 2021 SKCA 58 [*Richardson SKCA*],

the Court exercises that jurisdiction only in “extraordinary circumstances” (at para 21). Examples of such circumstances were summarized as follows by the Honourable Stuart J. Cameron in *Civil Appeals in Saskatchewan: The Court of Appeal Act & Rules Annotated*, 1st ed (Regina: Law Society of Saskatchewan Library, 2015) at 69:

For special cases or exceptional circumstances in which the court exercised this jurisdiction, see:

- *Maurice v Priel* (1987), 46 DLR (4th) 416, 60 Sask R 241 (CA) (Queen’s Bench judge a party to an application for prohibition, thus making this a special case for the Court of Appeal to exercise its original supervisory jurisdiction).
- *Royal Canadian Mounted Police v Saskatchewan (Commission of Inquiry)*, [1992] 6 WWR 62, 100 Sask R 313 (CA) (Queen’s Bench represented at inquiry, making it unseemly for the application for review of a ruling by the commission to be heard in that court).
- *Hartwig v Saskatchewan (Minister of Justice)*, 2007 SKCA 41 (Queen’s Bench judge acting as a commission of inquiry, making this a special case for the Court of Appeal to entertain an application by way of *certiorari* to quash portions of the inquiry report).
- *Pearlman v University of Saskatchewan*, 2006 SKCA 105, 273 DLR (4th) 414 (Queen’s Bench judge deciding a matter *qua* University Visitor, making this a special case for the Court of Appeal to exercise its original supervisory jurisdiction and entertain an application for judicial review by way of *certiorari*).

[20] Generally speaking, this is a complete answer to Mr. Richardson’s attempt to seek an order for prerogative relief from the Court. The only exception to that bottom line is Mr. Richardson’s request for relief against Zuk J. That is an “extraordinary circumstance” in line with the cases referred to above in that obliging Mr. Richardson to bring an application in the Court of King’s Bench seeking relief against a judge of that Court would be unseemly. However, that ultimately takes Mr. Richardson nowhere because prerogative relief is not available against a superior court judge. See: *Richardson SKCA* at para 13.

[21] Notwithstanding the Court’s established approach to the exercise of its jurisdiction in relation to prerogative relief, I am nonetheless inclined to the view that, in the unique circumstances of this case, it would be appropriate to exercise our jurisdiction and deal with the substance of Mr. Richardson’s application. If this Court declines to exercise its jurisdiction, Mr. Richardson will no doubt file his application in the Court of King’s Bench and will thereby impose unavoidable time and cost burdens on the respondents and on that Court. Given that Mr. Richardson has already had an opportunity to put his case forward in the Court of Appeal, it is in the overall interests of justice to address his application on its merits and to thereby resolve

it. I do so without in any way resiling from the substantial body of precedent that says the Court's original jurisdiction with respect to prerogative relief should be exercised only very exceptionally.

[22] That said, I do not propose to address the merits of Mr. Richardson's application in any depth. His materials present a confusing mix of concerns about what he describes as systemic torture, criminally negligent implementation of "engineering controls used for the SARS-Cov-2" pandemic response, RCMP wrongdoings, unlawful arrests, improper actions taken by various members of the Court of King's Bench, this Court and the Federal Court, child trafficking and various crimes including treason, mortgage fraud, crimes against humanity and criminal negligence causing death. All things considered, Mr. Richardson has simply failed to coherently marshal or establish the facts and the law necessary to make out a case for the relief that he seeks.

[23] Mr. Richardson's application for prerogative relief is dismissed. There will be no order with respect to costs.

#### **B. The Second Application**

[24] Mr. Richardson's second application for prerogative relief was filed on September 18, 2022 [Second Application]. The respondents are identified as: (a) Assistant Commissioner Rhonda Blackmore of the Royal Canadian Mounted Police; (b) Jessica Karam; (c) the Ministry of Health; and (d) the Saskatchewan Health Authority. The relief sought by Mr. Richardson is set out as follows in his application:

173. This *Motion for Writ of Mandamus and Prohibition* is made for

1. An order to compel the Assistant Commissioner Rhonda Blackmore of the RCMP and/or any of her agents operating in the jurisdiction of Saskatchewan;

to issue arrest warrants for every person involved in the torture, criminal negligence, child trafficking and other related complaints in Canada and the United States;

to remove Karis Kenna Nicole Richardson from the care of whomever she is with and deliver Karis to the Applicant or other such person as the Applicant shall decide, at a location to be determined by the Applicant, to comply with the Convention against Torture;

to seize the property located at 1292 95th, Street North Battleford, Saskatchewan, S9A 0G2 and arrest all parties involved in the mortgage fraud;

2. On order for the Saskatchewan Health Authority and the Ministry of Health to;

End all covid related mandates in the province of Saskatchewan effective immediately;

Remove the unscientific diagnosis associated with the torture of the Applicant;

Deliver all documentation relating to the Aerosol Generating Medical Procedures guidance at no cost to the Applicant

3. An order to compel the Executive Council of Saskatchewan to;

File and process the Application for Access for the Return of the Child Dated April 8, 2022;

4. An order to compel Amy Groothuis to;

Place all communications between Dale J. Richardson on the court record;

Place all evidence and documents previously filed or attempted to be filed by Dale J. Richardson or any of his affiliates on the court record;

Recuse herself from any matter relating to Dale J. Richardson or any of his family members or affiliates;

5. An order to compel the Attorney General of Saskatchewan

to provide the Applicant with all the information requested in all of his access to information requests at no cost to the Applicant without any redaction;

to pay any and all costs associated with this motion, or any of the orders associated with it, and for the maintenance, insurance and any other cost of the property at 1292 95th, Street North Battleford until the resolution of the Appeal and any incidental matters associated with the matters subject to the mandamus and/or the appeal;

To pay the legal costs of Applicant incurred from the Attorney General of Saskatchewan failure to do the public duty required by the office of the Attorney General of Saskatchewan;

To pay the legal costs of the Applicant for any actions relating to this mandamus

To pay the costs of a full report regarding the criminally negligent guidelines to the Applicant or other person that the Applicant shall decide.

2. An Order prohibiting Assistant Commissioner Rhonda Blackmore or any agent of the F-Division of the Royal Canadian Mounted Police from interfering with, harassing or torturing the Applicant; or attending any residence owned, occupied or regularly attended by the Applicant for any unlawful purposes and

3. An order prohibiting Jessica Karam from harassing, molesting, annoying, persecuting, torturing, interfering with the Applicant or trafficking his children;

4. An order prohibiting Jessica Karam from representing the public interests in this matter or any matter relating to the Applicant or his affiliates in the province of Saskatchewan;

5. An Order with dispensing with service and ordering electronic service for the Mandamus and CACV4048.

[25] This application suffers from the same central flaw as does the First Application, i.e., it fails to respect the Court's decisions concerning the exercise of its jurisdiction in relation to prerogative relief. Those decisions include, as noted above, a 2021 decision with respect to an earlier failed attempt by Mr. Richardson to obtain prerogative relief. However, as with the First

Application, it is in the interests of justice to deal with the substance of this application and to decide it on its merits.

[26] I do not intend to analyze the Second Application in any depth. Suffice it to say that Mr. Richardson’s submissions, both written and oral, cover a broad and confusing range of matters from allegedly criminally negligent “Aerosol Generating Medical Procedures guidance”, to what is said to be a “correlation between judicial actions, child trafficking for the purpose of exploitation and bio-terrorism”, to the alleged “torturing and trafficking a child to conceal the distribution of a biological weapon”, to an allegation that “registrars in multiple courts were used to permit crimes to occur in the courts”, to a contention that “concealing the overthrow of the United States using court rules as an act of war and not in any way permissible”.

[27] In short, Mr. Richardson has failed to advance a coherent evidentiary basis or legal rationale for the relief he seeks. His application must be dismissed. I would make no order as to costs.

**IV. CONCLUSION**

[28] As discussed above, the appeals in CACV3745 and CACV3798 are both dismissed with costs of \$500 in each payable forthwith to Ms. Richardson. As well, the two applications for prerogative relief filed by Mr. Richardson in CACV4048 are dismissed. There is no order as to costs in relation to those matters.

“Richards C.J.S.”  
\_\_\_\_\_  
Richards C.J.S.

I concur. “Schwann J.A.”  
\_\_\_\_\_  
Schwann J.A.

I concur. “McCreary J.A.”  
\_\_\_\_\_  
McCreary J.A.



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**Court of Appeal for Saskatchewan**

**Citation: *Richardson v Richardson*,  
2022 SKCA 142**

**Date: 2022-12-09**

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**Docket: CACV3745**

Between:

**Dale Richardson**

*Appellant  
(Respondent)*

And

**Kimberley Richardson**

*Respondent  
(Petitioner)*

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**Docket: CACV3798**

Between:

**Dale James Richardson**

*Appellant  
(Respondent)*

And

**Kimberley Anne Richardson**

*Respondent  
(Petitioner)*

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**Docket: CACV4048**

Between:

**Dale J. Richardson**

*Applicant/Appellant  
(Respondent)*

And

**Kimberley Anne Richardson**

*Respondent/Respondent  
(Petitioner)*

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Before: Richards C.J.S., Schwann and McCreary J.J.A.

Disposition: Order made pursuant to Rule 46.2(1) of *The Court of Appeal Rules*

Written reasons by: The Honourable Chief Justice Richards  
In concurrence: The Honourable Madam Justice Schwann  
The Honourable Madam Justice McCreary

Application heard: November 3, 2022

Counsel: Dale Richardson appearing on his own behalf

**Richards C.J.S.**

**I. INTRODUCTION**

[1] Dale Richardson has been determined to be a “vexatious litigant” by the Federal Court and tight limits have been imposed on his right to access the Federal Court of Appeal. In Alberta, Mr. Richardson has been found to have engaged in a pattern of aggressive and abusive litigation that warranted the imposition of significant gatekeeping safeguards to control and limit his activities in the Court of King’s Bench. Mr. Richardson has also commenced many proceedings in this Court. Those that have been resolved have been determined to be without merit.

[2] On October 3, 2022, the Registrar of this Court made a request, pursuant to Rule 46.2(1) of *The Court of Appeal Rules [Rules]*, that the Court consider whether Mr. Richardson has “habitually, persistently, and without reasonable cause commenced frivolous or vexatious proceedings in the Court of Appeal such that the Court should make an order prohibiting the commencement of proceedings without leave of the Court or a judge”. This decision is written in response to that request.

[3] I have no difficulty concluding that an order of the sort contemplated by Rule 46.2(1) should be made. Mr. Richardson has persistently commenced and prosecuted proceedings in this Court that are frivolous, vexatious and abusive. Mr. Richardson has a right to bring matters before the Court but, that said, it is obvious that significant constraints must be placed on his conduct in order to protect other litigants, the Court and Court staff from his misuse of the litigation process.

**II. BACKGROUND**

[4] To set the context for the Registrar’s request pursuant to Rule 46.2(1), it is necessary to provide a brief overview of the various proceedings that Mr. Richardson has commenced in this Court.

**A. CACV3745 – Dale Richardson v Kimberley Richardson**

[5] Court file CACV3745 was grounded in a December 11, 2020, fiat of Zuk J. wherein he declined to vary an interim parenting order and directed that Mr. Richardson pay child support to his now former spouse, Kimberley Richardson. The key developments with respect to this file are as follows:

- (a) December 15, 2020: Mr. Richardson filed a ten-page notice of appeal.
- (b) February 9, 2021: Mr. Richardson filed a 22-page “Motion for Writ of Certiorari” [First Application]. It was aimed at, among other things, overturning parenting orders made by the Court of Queen’s Bench. The motion made a variety of unsupported allegations about violations of the United Nations *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* and was supported by 964 pages of affidavits and other materials. The motion also appeared to take issue with the way in which a mental health warrant involving Mr. Richardson had been issued and executed in July of 2020.
- (c) February 18, 2021: Mr. Richardson filed a 50-page “Ex Parte Motion for Writ of Mandamus and Prohibition” [Second Application]. It was accompanied by 254 pages of affidavits and other materials. The motion raised unsupported allegations of terrorist activity on the part of a wide range of actors including judges of this Court and the Court of Queen’s Bench, Saskatchewan Health Authority, Ms. Richardson’s law firm, and the freemasons. By way of relief, the motion sought, among other things, to have the activities of the Court of Queen’s Bench, and so-called rogue agents of Innovation Credit Union, referred to Parliament.
- (d) March 8, 2021: Justice Kalmakoff, in Chambers, dismissed both the First Application and the Second Application. He ordered that Mr. Richardson pay Ms. Richardson costs in the amount of \$1,500.
- (e) March 11, 2021: Mr. Richardson filed a 55-page application styled as “Appeal of the Orders of Justice J. Kalmakoff” [Third Application] wherein he requested an order setting aside Kalmakoff J.A.’s decision and granting the orders sought by him

in the First Application and the Second Application. The Third Application was supported by 114 pages of affidavits and exhibits. On the same day, Mr. Richardson also filed a 5-page “Application for Dispensing With Service Without Notice” [Fourth Application]. The Fourth Application was accompanied by the 55-page Third Application and the same 114 pages of affidavits and exhibits that had been filed in support of the Third Application.

- (f) April 9, 2021: The Court dismissed the Third Application by way of a written decision. In so doing, it framed matters procedurally in Mr. Richardson’s favour by characterizing the Third Application as having been brought pursuant to s. 20(3) of *The Court of Appeal Act, 2000*, SS 2000, c C-42.1, i.e., it treated the proceeding as an application to vary or discharge an order made by a judge in Chambers. The Court found it was therefore unnecessary to consider the Fourth Application.
- (g) January 31, 2022: Mr. Richardson filed a 17-page written argument and a two-volume appeal book. As per its usual practice, the Registry issued a receipt documenting the payment of the fees associated with these filings. A very involved series of exchanges with the Registrar followed because in CACV3798, an appeal from a decision of Hildebrandt J. filed on March 19, 2021, Mr. Richardson insisted on treating DSR Karis Consulting Inc. as the appellant even though that corporation had not been a party to the proceedings before Hildebrandt J. All of this ultimately led to Mr. Richardson demanding the refund of his filing fees. As a result, the written arguments and appeal book in both CACV3798 and CACV3745 were returned to Mr. Richardson. In returning them, the Registrar reminded Mr. Richardson of his obligation to move the appeals forward and warned that failure to diligently prosecute the appeals could lead to their dismissal for want of prosecution.
- (h) February 16, 2022: Mr. Richardson filed a 17-page written argument and a two-volume appeal book, and paid the requisite filing fees. Emails were then exchanged with Registry staff because Mr. Richardson was displeased with the information contained in the filing fee receipt.

- (i) February 17, 2022: At his request, the filing fee for this appeal was refunded to Mr. Richardson.
- (j) March 9, 2022: A prehearing conference was held. It was aimed at determining the status of the appeal and Mr. Richardson's plans going forward. He advised that he did not intend to advance the appeal until he had received what he described as a "protective order" from the Alberta courts.
- (k) April 28, 2022: The Supreme Court denied Mr. Richardson's application for leave to appeal this Court's decision of April 9, 2021.
- (l) September 27, 2022: A show cause notice was sent to Mr. Richardson.
- (m) November 18, 2022: The Court dismissed Mr. Richardson's appeal on the basis that he had failed to show cause why he should be allowed to pursue it.

**B. CACV3798 – Dale James Richardson v Kimberley Anne Richardson**

[6] Court file CACV3798 was rooted in a February 19, 2021, decision by Hildebrandt J. wherein she directed the Registrar of Titles to transfer the title of the Richardsons' family home to its purchasers. The essential aspects of the proceedings under this file can be summarized as follows:

- (a) March 19, 2021: Mr. Richardson filed a six-page notice of appeal.
- (b) March 23, 2021: Mr. Richardson filed a seven-page application [Fifth Application] to impose a stay with respect to Hildebrandt J.'s decision. Other than a draft order, no supporting materials were placed before the Court. On the same day, Mr. Richardson also filed a 79-page application for prerogative relief. It was accompanied by 219 pages of affidavit and other materials. Mr. Richardson was advised that the prerogative relief application would be scheduled to be heard with the appeal proper.
- (c) March 29, 2021: Mr. Richardson's stay application was dismissed by Schwann J.A.

- (d) January 31, 2022: Mr. Richardson filed a 17-page written argument and a two-volume appeal book. He insisted that the receipt for the filing fee show DSR Karis Consulting Inc. as the appellant, even though that corporation was not a party in the proceedings before Hildebrandt J.
- (e) February 3, 2022: Mr. Richardson's filing fee was refunded and his written argument and appeal book were returned to him. The Registrar reminded Mr. Richardson of his obligation to move the appeal forward.
- (f) July 14, 2022: Mr. Richardson uploaded a 1-page letter and 19 pages of attachments detailing his position as to why DSR Karis Consulting Inc. should be identified as the appellant in the style of cause and, by extension, why the family home (which was the subject of Hildebrandt J.'s February 19, 2021, order) should be identified as Mr. Richardson's address for service.
- (g) September 27, 2022: A show cause notice was sent to Mr. Richardson.
- (h) November 18, 2022: Mr. Richardson's appeal was dismissed because he had failed to show cause why he should be allowed to pursue it.

**C. CACV4048 – Dale J. Richardson v Kimberley Anne Richardson**

[7] Court file CACV4048 arises out of a July 22, 2022, fiat of Zuk J. that addressed the disposal of six applications. The notice of appeal was filed on July 25, 2022. Since that time, two applications for prerogative relief have been filed by Mr. Richardson. The principal features of these proceedings are set out below:

- (a) September 11, 2022: Mr. Richardson filed a 48-page application for prerogative relief [Sixth Application] naming as respondents: (i) Amy Groothuis, the Registrar of this Court; (ii) "Unknown registrars of the Court of Appeal for Saskatchewan"; (iii) Justice Zuk; (iv) the Registrar of Titles; and (v) the Attorney General of Saskatchewan. It was accompanied by 318 pages of affidavits and other materials. The application sought relief in a variety of forms including: (i) an order directing the Registrar of Titles to deliver information relating to the "fraudulent transfer" of

Mr. Richardson's family home and transferring that property back to him; (ii) an order directing Zuk J. to place certain materials on the Court file and to recuse himself from any matter relating to Mr. Richardson; (iii) an order requiring the Executive Council of Saskatchewan to file and process an "Application for Access for the Return of the Child" dated April 8, 2022; (iv) an order compelling the Registrar to place on the Court record all the documents that Mr. Richardson had attempted to file and recusing herself from any matter relating to Mr. Richardson; (v) an order compelling the Attorney General of Saskatchewan to provide Mr. Richardson with responses to various access to information requests; (vi) an order prohibiting any registrar of the Court of King's Bench or this Court from rejecting any document or any evidence submitted by Mr. Richardson; and (vii) an order for "a writ of Certiorari to examine the judicial actions of Justice J. Zuk and any other judge related to this matter".

- (b) September 18, 2022: Mr. Richardson filed a 50-page application for prerogative relief [Seventh Application] identifying as respondents: (i) Assistant Commissioner Rhonda Blackmore of the Royal Canadian Mounted Police; (ii) Jessica Karam; (iii) the Ministry of Health; and (iv) the Saskatchewan Health Authority. It was supported by 320 pages of affidavits and other materials. Mr. Richardson sought a variety of relief including: (i) an order requiring Assistant Commissioner Blackmore to "issue arrest warrants for every person involved in the torture, criminal negligence, child trafficking and other related complaints in Canada and the United States" and to seize Mr. Richardson's family home; (ii) an order requiring the Saskatchewan Health Authority and the Ministry of Health to "end all covid related mandates in the province of Saskatchewan effective immediately"; (iii) an order compelling the Executive Council of Saskatchewan to file and process "the Application for Access for the Return of the Child" dated April 8, 2022; (iv) an order requiring the Registrar of this Court to place all communications with Mr. Richardson on the Court record and to recuse herself from any matter relating to Mr. Richardson; (v) an order compelling the Attorney General of Saskatchewan to provide Mr. Richardson with all information requested by way of his access to information requests; and (vi) an order prohibiting Assistant Commissioner

Blackmore and other members of the RCMP from “interfering with, harassing or torturing” Mr. Richardson.

- (c) November 18, 2022: The Court dismissed the Sixth and Seventh Applications on the basis that Mr. Richardson had not established a coherent basis for the relief that he sought.

### III. ANALYSIS

[8] In considering the Registrar’s request, it is necessary to begin by identifying the approach that the Court should take to the inquiry it has been asked to conduct. That done, I will examine whether Mr. Richardson’s conduct warrants an order restraining his access to the Court. Finally, I will consider the nature of the remedial order that is appropriate here.

#### A. The approach

[9] Rule 46.2 of the *Rules* reads as follows:

46.2(1) If, on application of any person or at the request of the registrar made in accordance with Rule 46.3, the court or a judge is satisfied that a person has habitually, persistently, and without reasonable cause commenced frivolous or vexatious proceedings in the court, the court or a judge may make an order prohibiting the commencement of proceedings without leave of the court or a judge.

(2) Before an order is made under Subrule (1), the person against whom such an order may be made shall be given an opportunity to be heard in accordance with Part 15.

[10] A “frivolous” proceeding is one “where it is ‘plain and obvious’ or ‘beyond reasonable doubt’ that the claims it advances are ‘groundless and cannot succeed’” (*Yashcheshen v Janssen Inc.*, 2022 SKCA 140 at para 20 [*Yashcheshen*], quoting *Siemens v Baker*, 2019 SKQB 99 at paras 23–25, [2019] 5 CTC 129. See also: *Harpold v Saskatchewan (Corrections and Policing)*, 2020 SKCA 98 at para 63). A pleading is vexatious when it is “commenced for an ulterior motive (other than to enforce a true legal claim) or maliciously for the purposes of delay or simply to annoy the defendants” (*Siemens* at para 24; *Yashcheshen* at para 20).

[11] The feature of Rule 46.2 that allows for what might be called a “vexatious litigant inquiry” to be initiated by the Registrar is new, having come into force only on October 3, 2022. The balance of the Rule has been in place since 2007.



[12] The recent amendment was considered necessary because it had become apparent that, as things stood, Rule 46.2 did not offer an adequately broad response to the problems posed by vexatious litigants. The Rule assumed that there would always be a person with enough resources and fortitude, and enough at stake, to make an application to bring a vexatious litigant to heel. However, it proved to often be the case that no such person existed. Sometimes, it can be surmised, the individual or individuals on the receiving end of the vexatious litigation did not have the resources to prosecute an application under the Rule. Alternatively, sometimes such individuals might have been unwilling to take a step that would attract the ire of the vexatious litigant. Further, in situations where a vexatious litigant did not repeatedly engage the same respondent but instead brought an ongoing series of proceedings against different individuals, no one person had a sufficiently large interest – enough skin in the game – for it to make sense for them to prosecute a proceeding under Rule 46.2(1). As a result, there were situations where no vexatious litigant proceedings were commenced notwithstanding that the actions of an individual called out for something to be done to rein in their abusive behaviour.

[13] The Registrar, of course, has an excellent frontline view of the activity in the Court and is thereby well positioned to identify those situations where it may be appropriate to somehow constrain the ability of an individual to initiate or pursue proceedings in the Court. It was determined, therefore, that the Registrar should be given the authority and the responsibility to, in effect, flag situations where a litigant habitually and persistently commences frivolous and vexatious proceedings for the review and consideration of the Court.

[14] The Registrar's new authority under Rule 46.2(1) is self-evidently a tool to be used sparingly and with care. But, that said, this aspect of the Rule does allow for action to be taken in those cases where a litigant is acting abusively but where no person has stepped forward to seek relief under Rule 46.2(1). In my view, the Registrar should resort to Rule 46.2(1) when, in their opinion, there is a prima facie case for the Court to find that, as per the Rule itself, a person has "habitually, persistently, and without reasonable cause commenced frivolous or vexatious proceedings in the court" and it appears that no person involved in the proceedings can or will initiate an application under the Rule. The Registrar's present request with respect to Mr. Richardson and his conduct is a textbook example of when the exercise of the authority under Rule 46.2(1) is appropriate.

[15] *Barth v Saskatchewan (Social Services)*, 2021 SKCA 41, [2021] 12 WWR 460 [*Barth*], is the leading decision on Rule 46.2(1) as it read before the recent amendment adding the Registrar into the equation. In *Barth*, at paragraph 15, the Court indicated that, when considering an application brought under the Rule, it is appropriate to take account of the following non-exhaustive list of factors:

- (a) whether the appellant has brought more than one appeal seeking to determine the same issue;
- (b) whether one or more of the appeals discloses no right of appeal (Rule 46.1(1)(b));
- (c) whether one or more of the appeals is manifestly without merit (Rule 46.1(1)(c));
- (d) whether the appellant's conduct in appealing against a tribunal's decisions can be considered an abuse of the process of the Court (Rule 46.1(1)(d));
- (e) whether it appears one or more of the appeals was brought for an improper purpose, including the harassment and oppression of a respondent through multiple proceedings brought for purposes other than the legitimate assertion of a statutory right of appeal or a cause of action;
- (f) whether the grounds raised in one appeal tend to be rolled forward into subsequent appeals, where they are repeated or supplemented;
- (g) whether the appellant has made accusations against or alleges malfeasance on the part of lawyers who acted for or against the appellant in other proceedings; and
- (h) whether the appellant has failed to pay costs orders awarded in favour of parties opposite.

[16] It is obvious that this approach is also applicable when considering a request made by the Registrar under Rule 46.2(1). The substance of the inquiry under the Rule is the same whether it is initiated by an application or by a request from the Registrar.

#### **B. Assessment of Mr. Richardson's actions**

[17] An examination of the Court files relating to the numerous proceedings in which Mr. Richardson is or has been involved reveals several themes.

[18] First, the proceedings that Mr. Richardson has commenced and that have been resolved in this Court to date have been self-evidently without merit in that they have been grounded on such things as unfounded allegations of "torture" and difficult-to-understand concerns about the transmission of the COVID-19 virus. They have featured little if anything by way of a coherent legal or factual basis for the relief sought and all have been readily decided against him.

[19] Second, there is overlap between and among the proceedings commenced by Mr. Richardson and between and among the materials filed in support of them. For instance, the Sixth Application and the Seventh Application are supported by the same 67-page affidavit sworn by Mr. Richardson. By way of further example, on each of CACV3745, CACV3798 and CACV4048, Mr. Richardson has filed what he styles as an “Affidavit for Dispensing with Service”.

[20] Third, Mr. Richardson often files prolix and unnecessarily extensive materials in connection with the proceedings that he initiates. For example, and as noted above, his 50-page “Ex Parte Motion for Writ of Mandamus and Prohibition” filed February 18, 2021, featured a rambling and disjointed 254 pages of affidavits and other materials, most of which were of no apparent relevance. Mr. Richardson also mailed to the Court a five-volume report titled “The Engineering of Bioterrorism, Child Trafficking, Treason and the Crime of Aggression Update (A Preliminary Report and Analysis of Risk)”, of some approximately 2,500 pages in length.

[21] Fourth, Mr. Richardson ignores decisions of the Court that are made against him. For example, the Court explained in its decision of April 9, 2021, that it exercises its jurisdiction in relation to prerogative relief only in extraordinary circumstances and dismissed Mr. Richardson’s application on that basis. Mr. Richardson, undeterred, then proceeded to file the Sixth Application and the Seventh Application.

[22] Fifth, Mr. Richardson habitually makes unsubstantiated allegations of malfeasance against, it would seem, anyone who acts contrary to his perceived interests. This includes judges, court officials, government officials, and counsel acting in opposition to him.

[23] Sixth, it is apparent that Mr. Richardson is commencing proceedings in this Court for the purpose of intimidating and harassing not only Ms. Richardson but also various individuals both in the justice system and outside of it. In this regard, let me refer to just two of Mr. Richardson’s many emails. First, he wrote in an email dated March 24, 2022, to “the defendants” that “[y]ou can either give me the child back that you stole, or I will continue to bring a legal hell storm in every court that I possibly can”. Second, in an email dated February 17, 2022, Mr. Richardson said, “I am not dealing with your court any more...I am going to ensure every one of you go to prison”.

[24] It is not difficult to conclude that, in light of these six factors and the number of proceedings that he has initiated, Mr. Richardson has “habitually, persistently, and without reasonable cause commenced frivolous or vexatious proceedings” in this Court as per Rule 46.2(1). The various appeals and applications he has advanced have been meritless, largely incoherent, duplicative and overlapping, disrespectful of the Court’s prior decisions and often characterized by unsubstantiated allegations of wrongdoing.

[25] In addition, I would note that Mr. Richardson’s communications with the Court and personnel in the Registrar’s office are very often aggressive and disrespectful. By way of only three examples: (a) in an email to the Registrar on March 11, 2021, and copied to over 160 people, Mr. Richardson wrote, “I will not permit you to torture and mentally sodomize me in secret”; (b) in an email to the Registrar on February 17, 2022, concerning the receipt issued for the payment of the filing fee with respect to his written argument and appeal book, Mr. Richardson wrote, “Every one of you are inflicting torture on me and I am going to ensure everyone of you go to prison and get pulled in front of The Hague”; and (c) in an email to the Registrar on September 12, 2022, and copied to over 190 people, Mr. Richardson (referring to himself in the third person) wrote, “The CEO has advised DSR Karis that deception has been used continually to perpetrate crime within the Court and that ‘Court Rules’ have been used to commit the following crimes without limitation, mortgage fraud, concealing, harbouring, facilitating terrorist activity, trafficking of a person under the age of 18 years, criminal negligence causing death, torture, treason, the crime of aggression and the insurrection in the United States by way of infiltration that effected the overthrow of the government of the United States”.

[26] Also, Mr. Richardson’s inclination to act with or through what might be called litigation proxies should not be overlooked. Those proxies include: his company, DSR Karis Consulting Inc.; his daughter, Kaysha Dery Richardson; his mother, Agatha Richardson; his sister, Astra Richardson-Pereira; and his friend, Robert Cannon. He has done some of that in this Court. For example, Mr. Cannon appealed against the September 10, 2020, Queen’s Bench Chambers decision that dismissed his application for *habeas corpus* with respect to, among other individuals, Dale Richardson and Kaysha Dery. See: *Cannon v Saskatchewan (Court of Queen’s Bench)*, 2021 SKCA 77. Mr. Richardson’s sister has also emailed the Registry and made demands with respect to what address for service may or may not be used. Just as significantly, Mr. Richardson has a

track record in other courts of using proxies and it is therefore entirely reasonable to expect that he will employ that technique more extensively in this Court if restrictions are placed on his personal ability to commence proceedings and so forth.

[27] Having concluded that Mr. Richardson is a vexatious litigant within the meaning of Rule 46.2(1), I turn to the question of the order that should be made in this case.

#### **IV. ORDER**

[28] The request from the Registrar asks, as per the wording of Rule 46.2(1), whether, if Mr. Richardson is found to be a vexatious litigant, an order should be made “prohibiting the commencement of proceedings without leave of the court or a judge”. However, in instances where a person has “habitually, persistently, and without reasonable cause commenced frivolous or vexatious proceedings in the court”, the Court’s remedial power is not narrowly limited to making an order regulating the commencement of proceedings. I say this because the Court has an inherent authority to make such orders as are necessary “to protect the proper administration of justice and to prevent an abuse of its process”. See: *Barth* at para 10. It follows that it has the ability to make such order or orders as are necessary to ensure that a litigant does not take inappropriate advantage of its processes, to shield other litigants from improper proceedings and to protect its own staff from abusive behaviour. Any such order should, obviously, be tailored to respond to the particular sorts of problems posed by the vexatious litigant in issue.

[29] Here, an appropriate remedial order must, of course, preserve Mr. Richardson’s right to advance his legitimate interests by way of legal proceedings. But, at the same time, the order must be concerned with: (a) preventing Mr. Richardson from commencing meritless proceedings and burdening the Court and other parties with such proceedings; (b) preventing Mr. Richardson from obliging the Court and other litigants to deal with prolix and unnecessary filings and communications; (c) preventing Mr. Richardson from acting through litigation proxies; and (d) protecting the Registry staff from threatening and abusive behaviour. The orders recently made by the Federal Court of Appeal and the Alberta Court of King’s Bench are very instructive in this regard and I have drawn on them in fashioning the order set out below. See: *Re DSR Karis*

track record in other courts of using proxies and it is therefore entirely reasonable to expect that he will employ that technique more extensively in this Court if restrictions are placed on his personal ability to commence proceedings and so forth.

[27] Having concluded that Mr. Richardson is a vexatious litigant within the meaning of Rule 46.2(1), I turn to the question of the order that should be made in this case.

#### **IV. ORDER**

[28] The request from the Registrar asks, as per the wording of Rule 46.2(1), whether, if Mr. Richardson is found to be a vexatious litigant, an order should be made “prohibiting the commencement of proceedings without leave of the court or a judge”. However, in instances where a person has “habitually, persistently, and without reasonable cause commenced frivolous or vexatious proceedings in the court”, the Court’s remedial power is not narrowly limited to making an order regulating the commencement of proceedings. I say this because the Court has an inherent authority to make such orders as are necessary “to protect the proper administration of justice and to prevent an abuse of its process”. See: *Barth* at para 10. It follows that it has the ability to make such order or orders as are necessary to ensure that a litigant does not take inappropriate advantage of its processes, to shield other litigants from improper proceedings and to protect its own staff from abusive behaviour. Any such order should, obviously, be tailored to respond to the particular sorts of problems posed by the vexatious litigant in issue.

[29] Here, an appropriate remedial order must, of course, preserve Mr. Richardson’s right to advance his legitimate interests by way of legal proceedings. But, at the same time, the order must be concerned with: (a) preventing Mr. Richardson from commencing meritless proceedings and burdening the Court and other parties with such proceedings; (b) preventing Mr. Richardson from obliging the Court and other litigants to deal with prolix and unnecessary filings and communications; (c) preventing Mr. Richardson from acting through litigation proxies; and (d) protecting the Registry staff from threatening and abusive behaviour. The orders recently made by the Federal Court of Appeal and the Alberta Court of King’s Bench are very instructive in this regard and I have drawn on them in fashioning the order set out below. See: *Re DSR Karis*

*Consulting Inc. and Dale J. Richardson* (filed 2022 October 18) FCA docket 22-A-19; and *Richardson v MacDonald*, 2022 ABKB 732.

[30] I would order as follows:

- (a) Dale J. Richardson and those acting as his proxies and agents and those representing his interests, including but not limited to DSR Karis Consulting Inc., Kaysha Dery Richardson, Astra Richardson-Pereira, Agatha Richardson, and Robert Cannon [collectively referred to herein as the Richardson Parties] are all subject to this Order.
- (b) No further proceedings shall be commenced in this Court by a Richardson Party except by leave of a judge of the Court. For greater certainty, the Richardson Parties are prohibited from commencing any appeal, interlocutory procedure, review of a decision made in Chambers, or application for prerogative relief, either in their own names or through those representing their interests, except by leave of a judge of this Court and in accordance with the terms of this Order.
- (c) Except as otherwise provided for in this Order, when submitting any document(s) for filing in this Court, whether on an existing court file or with respect to a proposed new proceeding, a Richardson Party must first present a copy of the document to the Registry, prior to service of the document(s) on the opposing party or parties, and in such case the following process will apply:
  - (i) The document(s) submitted for review prior to service and filing shall first be sent by email to [caregistrar@sasklawcourts.ca](mailto:caregistrar@sasklawcourts.ca). Neither the email correspondence to which the document(s) submitted for filing are attached, nor the document(s) themselves, shall be copied to any other email address and the text of the accompanying email shall be limited to listing the document(s) being submitted for review prior to filing, without any other information or content. If a Richardson Party fails to provide a copy of the document(s) to the Registry for review, copies other parties or persons on the email to the Registry, and/or uses abusive, intemperate or scandalous language in their email to the Registry, the document(s) shall not be

reviewed and the Richardson Party shall be so advised by email. For greater clarity, prior to any document(s) being deemed acceptable for filing by the Registry, no respondent has any legal obligation to accept service of the document(s) or to review them or provide any response to it (them).

- (ii) Any document submitted to the Registry for review by a Richardson Party must fully comply with the *Rules*, must relate directly to the particular proceeding in connection with which it is being submitted, and must be concise.
- (iii) For any originating document, a Richardson Party must identify the order, judgment or decision appealed from or in issue and describe it with particularity. Any originating document must also be accompanied by a formal application for leave to commence a proceeding that is fully compliant with the *Rules*. If this is not done, the document will not be reviewed and the Richardson party shall be so advised by email.
- (iv) Registry staff will review the document(s) submitted for filing and advise the Richardson Party, by email, whether the document(s) is (are) acceptable and may be served on the responding parties and filed with proof of service. The Registry's email to the Richardson party, and a copy of this Order, shall accompany the document(s) when they are served on the respondent(s) by the Richardson Party. Upon receipt of acceptable proof of service, the Registry shall file the document(s) deemed acceptable, subject to the Richardson Parties' obligation to pay any resulting filing fee.
- (v) In respect of any document submitted to the Registry for review by a Richardson Party, the filing date of the document shall be deemed to be the date it was submitted for review, provided that the document is ultimately approved for filing, served on the other party or parties as prescribed by this Order, and then presented for filing.
- (vi) If the Registry is in doubt as to whether a document satisfies this Order, the Registry may refer the document to a judge for a ruling on whether the



document may be accepted for filing. A Richardson Party will not be a party to any such review. Where the Registry or a judge determines that a document may not be accepted for filing and the document is rejected, notice of the reason for rejection shall be given by email to the Richardson Party presenting the document to the Registry.

- (vii) For greater certainty, a Richardson Party shall not file or present for filing a document, report or affidavit that is unreasonably long, repetitious, or that clearly has no bearing to the underlying proceeding before the Court.
- (d) Any email communication from a Richardson Party that does not seek to submit a document for filing in accordance with subparagraph (c) shall be deleted by the Registry unless the Registry concludes that the email communication meets the following preconditions:
- (i) It is addressed to the Registry and relates to a procedural question, such as scheduling an outstanding application, or confirming the manner of appearance before the Court, or it otherwise legitimately concerns some other issue relating to the proceeding. Any such email must not be copied to any other email address except, where appropriate, to the address of opposing counsel, or if a party is unrepresented, to the address of that party; and
  - (ii) It is not offensively worded, is succinct, and does not contain unfounded allegations of improper or scandalous actions by any individual, including but not limited to members of the Court staff or judiciary, opposing counsel, or other parties involved in the proceeding,

in which case the email communication from the Richardson Party shall be accepted for filing and put on the Court file.

- (e) After the Registry or a judge, as the case may be, has approved a document for filing, the Richardson Party shall file such paper copies as are required by the *Rules*.

No other paper documents of any kind may be filed with the Court by a Richardson Party.

- (f) Except as outlined herein, the Richardson Parties are prohibited from conducting proceedings in this Court or dealing with the Registry through other persons or entities. Where the Registrar has reason to believe that a Richardson Party is attempting to access the Court process for Mr. Richardson's benefit through other persons or entities, the Registrar shall forward all of the relevant information in the possession of the Registry to a judge or the Court and the judge or the Court will consider whether:
  - (i) proceedings for contempt are warranted against a Richardson Party or anyone assisting them in the violation of this Order;
  - (ii) this Order should be extended to other persons; and
  - (iii) any proceedings brought in the name of other persons or entities should be summarily dismissed for failing to abide by the Order requiring that leave be granted prior to the Richardson Parties commencing any proceeding in this Court.
- (g) In any circumstance where the terms of this Order prescribe an approach or action different than what is provided for by the *Rules*, this Order prevails.
- (h) The Registry staff are at liberty, at any time, to refuse to deal with a Richardson Party in person, by telephone or otherwise, if the Richardson Party engages in rude, insulting, harassing or threatening behaviour or if the Richardson Party seeks to engage with respect to a matter that is not properly before the Court or with respect to an issue that is not properly the subject of dealings with the Registry.

[31] The Registrar shall prepare a formal order giving effect to this decision, without the necessity of obtaining approval as to its form and content from Mr. Richardson or the other Richardson Parties or other parties involved in their litigation. The Registrar is authorized to send the formal order, along with a copy of this decision, to Mr. Richardson at the email addresses he commonly uses: [unity@dsrkariconsulting.com](mailto:unity@dsrkariconsulting.com) and [dale.richardson@dsrkariconsulting.com](mailto:dale.richardson@dsrkariconsulting.com). If

that is done, Mr. Richardson and the other Richardson Parties will be deemed to have knowledge of this Order.

“Richards C.J.S.”  
\_\_\_\_\_  
Richards C.J.S.

I concur.                      “Schwann J.A.”  
\_\_\_\_\_  
Schwann J.A.

I concur.                      “McCreary J.A.”  
\_\_\_\_\_  
McCreary J.A.

IN THE COURT OF APPEAL FOR SASKATCHEWAN

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**Docket: CACV3745**

Between:

**Dale Richardson**

*Appellant  
(Respondent)*

And

**Kimberley Richardson**

*Respondent  
(Petitioner)*

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**Docket: CACV3798**

Between:

**Dale James Richardson**

*Appellant  
(Respondent)*

And

**Kimberley Anne Richardson**

*Respondent  
(Petitioner)*

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**Docket: CACV4048**

Between:

**Dale J. Richardson**

*Applicant/Appellant  
(Respondent)*

And

**Kimberley Anne Richardson**

*Respondent/Respondent  
(Petitioner)*

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BEFORE THE HONOURABLE  
CHIEF JUSTICE R.G. RICHARDS  
MADAM JUSTICE L.M. SCHWANN  
MADAM JUSTICE M.R. McCREARY

}

ON FRIDAY, THE 9<sup>TH</sup> DAY  
OF DECEMBER, 2022

**ORDER**

ON THE REQUEST of the Registrar pursuant to Rule 46.3(1), and having read the record of the proceedings, and having regard for the submissions made on behalf of the parties:

IT IS HEREBY ORDERED THAT:

- (a) Dale J. Richardson and those acting as his proxies and agents and those representing his interests, including but not limited to DSR Karis Consulting Inc., Kaysha Dery Richardson, Astra Richardson-Pereira, Agatha Richardson, and Robert Cannon [collectively referred to herein as the Richardson Parties] are all subject to this Order.
- (b) No further proceedings shall be commenced in this Court by a Richardson Party except by leave of a judge of the Court. For greater certainty, the Richardson Parties are prohibited from commencing any appeal, interlocutory procedure, review of a decision made in Chambers, or application for prerogative relief, either in their own names or through those representing their interests, except by leave of a judge of this Court and in accordance with the terms of this Order.
- (c) Except as otherwise provided for in this Order, when submitting any document(s) for filing in this Court, whether on an existing court file or with respect to a proposed new proceeding, a Richardson Party must first present a copy of the document to the Registry, prior to service of the document(s) on the opposing party or parties, and in such case the following process will apply:
  - (i) The document(s) submitted for review prior to service and filing shall first be sent by email to [caregistrar@sasklawcourts.ca](mailto:caregistrar@sasklawcourts.ca). Neither the email correspondence to which the document(s) submitted for filing are attached, nor the document(s) themselves, shall be copied to any other email address and the text of the accompanying email shall be limited to listing the document(s) being submitted for review prior to filing, without any other information or content. If a Richardson Party fails to provide a copy of the document(s) to the Registry for review, copies other parties or persons on the email to the Registry, and/or uses abusive, intemperate or scandalous language in their email to the Registry, the document(s) shall not be reviewed and the Richardson Party shall be so advised by email. For greater clarity, prior to any document(s) being deemed acceptable for filing by the Registry, no respondent has any legal obligation to accept service of the document(s) or to review them or provide any response to it (them).

- (ii) Any document submitted to the Registry for review by a Richardson Party must fully comply with the *Rules*, must relate directly to the particular proceeding in connection with which it is being submitted, and must be concise.
- (iii) For any originating document, a Richardson Party must identify the order, judgment or decision appealed from or in issue and describe it with particularity. Any originating document must also be accompanied by a formal application for leave to commence a proceeding that is fully compliant with the *Rules*. If this is not done, the document will not be reviewed and the Richardson party shall be so advised by email.
- (iv) Registry staff will review the document(s) submitted for filing and advise the Richardson Party, by email, whether the document(s) is (are) acceptable and may be served on the responding parties and filed with proof of service. The Registry's email to the Richardson party, and a copy of this Order, shall accompany the document(s) when they are served on the respondent(s) by the Richardson Party. Upon receipt of acceptable proof of service, the Registry shall file the document(s) deemed acceptable, subject to the Richardson Parties' obligation to pay any resulting filing fee.
- (v) In respect of any document submitted to the Registry for review by a Richardson Party, the filing date of the document shall be deemed to be the date it was submitted for review, provided that the document is ultimately approved for filing, served on the other party or parties as prescribed by this Order, and then presented for filing.
- (vi) If the Registry is in doubt as to whether a document satisfies this Order, the Registry may refer the document to a judge for a ruling on whether the document may be accepted for filing. A Richardson Party will not be a party to any such review. Where the Registry or a judge determines that a document may not be accepted for filing and the document is rejected, notice of the reason for rejection shall be given by email to the Richardson Party presenting the document to the Registry.
- (vii) For greater certainty, a Richardson Party shall not file or present for filing a document, report or affidavit that is unreasonably long, repetitious, or that clearly has no bearing to the underlying proceeding before the Court.

- (d) Any email communication from a Richardson Party that does not seek to submit a document for filing in accordance with subparagraph (c) shall be deleted by the Registry unless the Registry concludes that the email communication meets the following preconditions:
  - (i) It is addressed to the Registry and relates to a procedural question, such as scheduling an outstanding application, or confirming the manner of appearance before the Court, or it otherwise legitimately concerns some other issue relating to the proceeding. Any such email must not be copied to any other email address except, where appropriate, to the address of opposing counsel, or if a party is unrepresented, to the address of that party; and
  - (ii) It is not offensively worded, is succinct, and does not contain unfounded allegations of improper or scandalous actions by any individual, including but not limited to members of the Court staff or judiciary, opposing counsel, or other parties involved in the proceeding,

in which case the email communication from the Richardson Party shall be accepted for filing and put on the Court file.

- (e) After the Registry or a judge, as the case may be, has approved a document for filing, the Richardson Party shall file such paper copies as are required by the *Rules*. No other paper documents of any kind may be filed with the Court by a Richardson Party.
- (f) Except as outlined herein, the Richardson Parties are prohibited from conducting proceedings in this Court or dealing with the Registry through other persons or entities. Where the Registrar has reason to believe that a Richardson Party is attempting to access the Court process for Mr. Richardson's benefit through other persons or entities, the Registrar shall forward all of the relevant information in the possession of the Registry to a judge or the Court and the judge or the Court will consider whether:
  - (i) proceedings for contempt are warranted against a Richardson Party or anyone assisting them in the violation of this Order;
  - (ii) this Order should be extended to other persons; and

- (iii) any proceedings brought in the name of other persons or entities should be summarily dismissed for failing to abide by the Order requiring that leave be granted prior to the Richardson Parties commencing any proceeding in this Court.
- (g) In any circumstance where the terms of this Order prescribe an approach or action different than what is provided for by the *Rules*, this Order prevails.
- (h) The Registry staff are at liberty, at any time, to refuse to deal with a Richardson Party in person, by telephone or otherwise, if the Richardson Party engages in rude, insulting, harassing or threatening behaviour or if the Richardson Party seeks to engage with respect to a matter that is not properly before the Court or with respect to an issue that is not properly the subject of dealings with the Registry.

ISSUED at Regina, Saskatchewan, on Friday, December 9, 2022.

  
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Registrar, Court of Appeal



## **APPLICANT'S MEMORANDUM OF ARGUMENT**

### **PART I – STATEMENT OF FACTS**

1. A freedom of information request submitted by Dale J. Richardson (“Dale”) to the Ministry of Health of Saskatchewan demonstrated that there was no risk assessment or engineering report for the representation of the Aerosol Generating Medical Procedures (“AGMP”) guidance issued by the Saskatchewan Health Authority (“SHA”), or was there any such risk assessment done or any justification of any kind provided the SHA. Justice Zuk ignored this evidence which formed a part of the defence of Dale and ignored the engineering report and passed judgment without having the expert explain its relation to the facts and killed innocent people by his wilful exclusion of the information critical to the health and safety of the public without any expert evidence to the contrary.
2. The SHA guidance is based on a table issued by the Center for Disease Control (“CDC”) in 2001, and it is used by the Public Health Agency of Canada and Canada several other jurisdictions in Canada.
3. The representation of the AGMP guidance issued by the SHA was the basis of the litigation by DSR Karis, which is obligated by law to operate within the framework of the law.
4. On or around June 3, 2020 agents of the Court of King’s Bench for Saskatchewan forged, stole and concealed documents to instigate the of trafficking of a child under 18 years contrary to 279.011 of the Criminal Code of Canada.
5. Rule 10-46(1),(2) and 10-47 of the Queen’s Bench Rules are used for the sale of homes being foreclosed.
6. On May 27, 2020 Dale in the course of his duties as CEO of DSR Karis signed a Non-Disclosure Agreement that created a contractual relationship with his employer, DSR Karis and Innovation Credit Union.
7. On May 27, 2020 Kimberley A. Richardson attended the family home with Raymond Hebert and Linda Hebert and removed the vehicle that was in the possession of the Applicant after learning that Karis K.N. Richardson was left in the care of her sister Kaysha F.N. Dery.

8. On June 9, 2020 Dale acting as the Chief Executive Officer of DSR Karis Consulting Inc. (hereinafter known as “DSR Karis”) passed information to the business response team in Saskatchewan relating to the criminally negligent representation of the Aerosol Generating Medical Procedures guidance issued by the SHA. No reasonable response was given to address the hazards involved with its representation.
9. On June 10, 2020 the Communications Department of the SHA refused to address the hazards identified by DSR Karis when communicating with the Chief Executive Officer of DSR Karis by email. The SHA provided no information relating to any engineering report or risk assessment. The SHA did admit that it was potentially placing its employees at risk using a criminally negligent arbitrary settling time without having any justification for the 2 hour settling time.
10. On June 25 2020 a number of parties in the federal a Saskatchewan government were notified about criminally negligent implementation of engineering controls used for the SARS-Cov-2 pandemic response by DSR Karis by an email sent by its Chief Executive Officer on its behalf. The information provided demonstrated that the hazard was also present in the state of Washington.
11. On June 26, 2020 a number of parties in North Battleford were warned about the hazards arising from the criminally negligent representation of the AGMP provided by the SHA.
12. On June 26, 2020 several financial institutions and regulatory agencies in the province of Saskatchewan and federally were notified of the risk of financial losses to the shareholders arising from the hazards directly tied to the criminally negligent representation of the AGMP provided by the SHA. The fiduciary duty to the shareholders and the public was mentioned.
13. A rogue agent of the Ombudsman for Banking Services and Investments (“OBSI”) created, retained and transmitted a forged document based on a document sent to OBSI by DSR Karis on June 26, 2020. The forged document made it appear like the email was transmitted by Dale from his personal email address. This forgery has been reported to 5 divisions of the Royal Canadian Mounted Police.
14. On June 29, 2020 Dale was served with a divorce petition from Kimberley A. Richardson with Patricia J. Meiklejohn as her counsel. The document contained contradictions, perjury and intent to defraud and was filed to the Court of King’s Bench for Saskatchewan when it was in violation of the law.

15. On June 29, 2020 Dale gained knowledge of a letter addressed to the CEO of DSR Karis from the Association of Professional Engineers and Geoscientists of Saskatchewan after receiving *documentation that contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA resulting from poor engineering practice*. The letter from APEGS did not address the severe threat to the public interest, but rather attempted to threaten DSR Karis based on Facebook posts and YouTube videos. DSR Karis responded by way of letter directing APEGS of its legislated responsibility to the public interest with respect to engineering. No response was ever given by APEGS.
16. On July 3, and July 7, 2020 Dale attended the Battlefords RCMP detachment and made complaints on both days. The complaints on July 3, 2020 were torture pursuant to 269.1 of the Criminal Code of Canada (2020-898119) and two counts of criminal negligence. One count of torture and one count of criminal negligence was initiated by the Applicant (2020-898911), and the other complaint (2020-898907) was on behalf of DSR Karis Consulting Inc. ("DSR Karis"). The SHA were the focus of the criminal negligence complaints and their agents were tied to the torture. The complaint on July 7, 2020 was a complaint of torture with Karis K.N. Richardson as the victim (2020-922562).
17. On July 7, 2020, Dale had a meeting with Chad Gartner of Innovation Credit Union ("ICU") in which the information discussed was the property of his employer DSR Karis. Chad Gartner was informed of his fiduciary duty to inform the members of ICU of the risk of financial losses arising from the occupational health and safety hazard arising from poor engineering practice tied to the representation of the AGMP guidance issued by the SHA.
18. On July 7, 2020 Dale attended the Battlefords Mental Health Centre ("BMHC") to ask for his missing medical records from his access to records. Dale asked a manager to have the engineering department get back to him on the hazards arising from the criminally negligent representation of the AGMP provided by the SHA. A doctor who signed a certificate to admit him to the BMHC was present for the conversation. Cora Swerid was informed of the criminal negligence and the torture investigations that involved the SHA. No response was given by the SHA to address the hazards arising from the criminally negligent representation of the AGMP.
19. On July 8, 2020 an email chain was sent by carbon copy to Dale that outlined a breach of contract between the rogue agents of Innovation Credit Union and his employer DSR

Karis. The email outlined a conspiracy to restrict the liberty of Dale, his employer and by proxy Karis K.N. Richardson.

20. The RCMP did not allow Dale to bring any further evidence as he indicated that he would, and was barred entry from the detachment.
21. On July 22, 2020 Patricia J. Meiklejohn sent two emails to Dale of draft orders, one purportedly to correct a typographical error. The first email stated that Justice R.W. Elson requested the interim order through the agents of the court who contacted her. The interim orders were dated for July 22, 2022.
22. From a sworn affidavit submitted to the Federal Court of Canada by the RCMP through Cheryl Giesbrecht exercising the capacity of the Attorney General of Canada in T-1404-20 testified that on July 22, 2020 Justice R.W. Elson directed them to prevent Dale from entering the Court of Queen's Bench for Saskatchewan. The unknown member of the RCMP responded with "we have a mental health warrant".
23. On July 22, 2020 members of the PACT team showed up at Dale's residence with two members of the Battlefords RCMP. The persons in attendance were as follows, Tonya Browarny, Ken Startup, Cst. Rivest and Cst. Reid. No direction was ever given to Dale to submit to any medical examination as required by the Mental Health Services Act. The RCMP were served for QBG-156 of 2020 after repeated attempts to gain access to the detachment by Dale to serve them were frustrated. Medical records from the BMHC state that Dale was brought to the BMHC at the time of this incident.
24. On July 22, 2020 Tonya Browarny knowing that she did not comply with the Mental Health Services Act spoke with J. Engleke and proceeded with obtaining a mental health warrant based on fraudulent information from the Provincial Court of Saskatchewan. Tonya Browarny's notes confirm that she did not comply with the Mental Health Services Act and did not meet the criteria to lawfully obtain a warrant.
25. The agents of the SHA stated that Dale's religious beliefs are delusions. No agent of the SHA knew what the specific religious beliefs of Dale were. Only members of the Battlefords Seventh-Day Adventist church would possess any knowledge of his specific beliefs. Agents of the SHA attends the Battlefords Seventh-Day Adventist church.
26. On July 23, 2020 at about 9:50 am, Dale and his daughter Kaysha were unlawfully arrested attempting to enter the Court of King's Bench for Saskatchewan in Battleford SK, before any of the two hearings Dale was scheduled to appear on DIV-70 of 2020 and

QBG-156. Both were first appearances presided over by Justice R.W. Elson. The RCMP substantiated this time in an affidavit in T-1404-20.

27. On July 23, 2020 Justice R.W. Elson, with the full knowledge that he directed the RCMP to prevent Dale from entering the Court, made interim orders pursuant to no law and grossly exceeded his jurisdiction as a judge sitting in chambers on a first appearance. Justice R.W. Elson made no mention of having directed Dale's obstruction that prevented Dale from appearing for the matter, as can be observed in the wording of Justice R.W. Elson's fiat shown below:

[1] Counsel for the petitioner has provided the court with her client's informal estimate of the equity in the family home, roughly between \$8,000 and \$12,000. With this information, I am satisfied that the interim draft order should issue. This order includes authorization for the petitioner to list and sell the house, followed by an accounting for the proceeds. The only thing that should be included in the interim order is for the issue of the parenting to be revisited in one month's time. This should occur on August 27, 2020.

28. The second matter obstructed was the matter of QBG 156/20 DSR Karis Consulting Inc. v Court of King's Bench for Saskatchewan et al dated July 23, 2020. Present in the court was Cliff Holm appearing for the Seventh-Day Adventist Church, Lynn Sanya - SHA, Virgil Thomson – rogue agents of Innovation Credit Union, Micheal Griffin – APEGS. Justice R.W. Elson made no mention directing the RCMP to obstruct Dale from representing DSR Karis and the interests of the public. *The documentation before the Court contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and the risk to the general public.*
29. On July 23, 2020, Robert A. Cannon was contact traced at the court, and had to provide his name to sheriff who participated in the obstruction of the Applicant.
30. When Dale was brought to the BMHC he questioned the doctor's and physicians why he was prevented from entering the Court by the defendants in QBG-156 when he was to represent DSR Karis as the plaintiff. Dale demanded to see the mental health warrant. When persisting to ask these questions, the doctors directed the RCMP and attending health personnel to strip him, strap him to a bed, and forcefully medicate him. Dale was never examined. No expert report of the examination was ever provided to Dale. The sworn affidavit of the RCMP submitted to the Federal Court of Canada confirms that Dale was not examined.
31. While Dale was being tortured, Robert A. Cannon filed a habeas corpus several times. One instance the habeas corpus was filed and then it was unfiled. The other documents

submitted with the habeas corpus were not filed. After the third filing of the habeas corpus Dale was released from the BMHC.

32. In QBG 921 of 2020 Justice N.D. Crooks on September 10, 2020 purported to state that there was no deprivation of liberty for any of the persons named in the Habeas Corpus proceeding, which includes without limitation, Dale, Kaysha F.N. Dery, and Karis. Crooks stated that the deprivation was “theoretical” and that Karis was the subject of a family law dispute. Justice N.D. Crooks denied Karis the right of Habeas Corpus contrary to section 10(c) of the Charter of Rights and Freedoms. The Habeas Corpus was filed by Robert A. Cannon to stop the agents of the Saskatchewan Health Authority from torturing Dale who was strapped to a bed and administered mind altering drugs that are designed to profoundly disrupt the senses. The torture upheld the trafficking of Karis. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA.*
33. On October 28, 2020 Dale appeared before Justice J.A. Caldwell of the Court of Appeal for Saskatchewan (“Court of Appeal for Saskatchewan”) for a motion to extend for the unlawful orders issued by Justice R.W. Elson. No one appeared for Kimberley A. Richardson (“Kim”), and audio, video and document evidence was presented. Justice J.A. Caldwell ruled in the favour of the party that was not present. The Court of Appeal for Saskatchewan sent back all of the evidence filed to the court. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA.*
34. When presented with evidence that the testimony of Kim was perjured on November 26, 2020, Justice J. Zuk made excuses for the perjury and took the perjured testimony over the overwhelming evidence of the Applicant. Justice J. Zuk ignored evidence that Dale was subjected to escalating family violence by his estranged wife Kim. Justice J. Zuk ruled in favour of the party that presented perjured evidence and who has demonstrated a pattern of violence towards Dale and the child of the marriage Karis. *The documentation supplied by the Applicant contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA.*
35. Patricia J. Meiklejohn presented to Justice J. Zuk in the chambers hearing the statement of claim of Dale in the Federal Court of Canada (“FCC”) and complained that Dale was bringing a matter before a federal court. *The application in the FCC contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and the risk to the public.*

36. Cheryl Giesbrecht, agent of the Attorney General of Canada submitted motions to the FCC that contained fraudulent shareholder information in regards to DSR Karis, and conspired with the defendant's counsel in T-1404-20. The FCC ruled in favour of fraud. The shareholder information of DSR Karis is available on the public record in Alberta.
37. Virgil Thomson submitted forged FCC documents to the Applicant.
38. Rogue agents of the Court of King's Bench for Saskatchewan demonstrated extreme bias in denying Dale the ability to speak and bring evidence to defend himself in Court. This includes without limitation, evidence of the unlawful abduction (arrest), Justice R.W. Elson ordering obstruction of justice, an officer of the court preventing Dale from entering the court, questionable actions of agents of the SHA by forcefully medicating Dale to prevent him from representing DSR Karis in matters against them that provided evidence of the distribution of a biological weapon by way of the guidelines issued by the SHA during the SARS-Cov-2 pandemic response, and the evidence of the criminal complaints against Justice J. Zuk by DSR Karis and Dale before he made any decision on the matters on May 5, 2022 and July 22, 2022.
39. On February 19, 2021 Patricia J. Meiklejohn appeared before Justice B.R. Hildebrandt for an application without notice to transfer the title of the registered office of DSR Karis pursuant to the Land Titles Act. Fraudulent documents were submitted to the court signed by Clifford A. Holm. Justice B.R. Hildebrandt approved the fraudulent transfer of title using the Land Titles Act instead of the Family Property Act.
40. On February 19, 2021 Dale appeared for two prerogative writs in chambers before Justice J. Kalmakoff. Justice J. Kalmakoff informed Dale that prerogative writs can only be granted before a panel of judges according to the court of appeal act. Justice J. Kalmakoff heard the motion for two prerogative writs when it was impossible for Dale to succeed, and Justice J. Kalmakoff did not determine if torture occurred. Justice J. Kalmakoff exercised jurisdiction he did not possess. *The motions contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA.*
41. On March 1, 2021 an appeal CACV3708 was heard at the Court of Appeal for Saskatchewan of a constitutional Writ of Habeas Corpus. Among those present as counsel for the defendants were, Clifford A. Holm, Cheryl Giesbrecht, Chantalle Eisner, and Michael Griffin representing APEGS. Michael Griffin admitted it was the intention of defending counsel to punish Robert A. Cannon for actions taken by Dale and DSR Karis in the FCC. Michael Griffin committed fraud on the record by stating without any evidence that Robert A. Cannon was counsel for Dale and DSR Karis. *The documentation*

*contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA.*

42. Every statement of claim or motion in the FCC for DSR Karis is signed by its Chief Executive Officer.
43. On March 26, 2021 Dale as the CEO of acting as agent of DSR Karis, appeared before Justice J. A. Schwann in the Court of Appeal for Saskatchewan for a motion for stay of execution relating to appeal CACV3798 in which mortgage fraud was committed. Justice J. A. Schwann ruled in favour of the party who committed fraud and was not present. *The motion contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA.*
44. On April 1 2021 Dale appeared before a three judge panel at the Court of Appeal for Saskatchewan to review orders of Justice J. Kalmakoff and provided over 6000 pages of evidence. Court of King's Bench for Saskatchewan and Kim were absent. The panel ruled in favour of the absent defendants. *The documentation before the Court contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA.*
45. On April 26, 2021 Dale fled to the United States to file for protection under the Convention against Torture after being served an affidavit sworn in by an unknown member of the RCMP that admitted the RCMP were instructed by the Court of Queen's Bench for Saskatchewan to prevent Dale from entering into the Court on July 23, 2020. Dale was fearful of being tortured or killed if returned to Saskatchewan and subsequently fled to the United States for safety. *The motion scheduled to be heard contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA.*
46. On April 26, 2021 upon arrival to the Sweetgrass Montana point of entry, Dale was tortured in the presence of 5 witnesses, one of whom is an eight year old child. The CBP officers attempted to coerce Dale to return to Canada after he asked for protection under the Convention against Torture, and remove the 6 volumes of evidence of over 3300 pages. When Dale refused to remove evidence while fearful of his life, the U.S. Customs and Border Protection officers intimidated and coerced him to dispose of the evidence of him being the director of a Delaware corporation DSR Karis North Consulting Inc. ("Karis North"). Dale refused to remove evidence. *The documentation presented at the border contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA.*



47. Officer Brian Scott and Officer Brian Biesemeyer were the CBP officers directly responsible for Dale's torture. The statement used in the immigration proceedings by the Department of Homeland Security was a product of torture.
48. Dale was subjected to torture and severe obstruction of justice in Canada and the United States while being held in custody of ICE, a defendant in T-1404-20.
49. On June 10, 2021 a motion was heard before Justice W. Pentney. Fraud was used to schedule the motion. Dale informed Justice W. Pentney that he was denied the motion materials by ICE a defendant in the underlying action, that he was being obstructed by the same and was being tortured by them. Justice W. Pentney proceeded with the motion with full knowledge of these conditions. Justice W. Pentney deceived Dale and committed fraud during the hearing. *The documentation provided by Dale contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA.*
50. On June 15, 2021 Justice W. Pentney dismissed Dale's motion seeking relief from torture. Justice W. Pentney stated "*Furthermore, I agree with the comment of Justice Kalmakoff at the acts the Plaintiff terms as torture "are all things that arose from were inherent in, or were incidental to measures that are authorized by law"*". Justice W. Pentney upheld child trafficking and terrorism. Justice W. Pentney and Justice J. Kalmakoff are Prime Minister Justin Trudeau appointees.
51. On June 23, 2021 Dale served a motion titled On Petition for Writ of Certiorari in the Supreme Court of the United States to U.S. Magistrate Judge Gordon P. Gallagher and the District Court of Colorado. Rogue agents of the District Court of Colorado committed fraud. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA.*
52. On June 29, 2021 Michael Duggan fraudulently rejected materials sent with the Writ of Certiorari and other letters. A motion critical to Dale's safety was fraudulently rejected by Michael Duggan on July 2nd after the petition was filed on June 29, 2021. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and the torture used to suppress its reporting.*
53. On July 13, 2021 Dale appeared before Immigration Judge Caley for a review of the credible fear determination by the Asylum officer. The Asylum officer was made aware that Dale was tortured by the agents of DHS in order to make the statement. The Asylum officer refused to consider that Dale was being tortured in custody. When Dale raised the subject of being tortured in ICE custody before the Immigration judge, the judges stated

- that he did not have jurisdiction and could only speak about what happened in Canada. The Immigration judge refused to accept Dale's evidence from and deprived Dale of due process. No representative from DHS was at the hearing. Over 3500 pages of evidence was presented to DHS. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
54. On July 19, 2021 Officer Blevins attempted to intimidate and coerce Dale to consent to destroy his passport.
  55. On July 20, 2021 Circuit Judges Holmes, Matheson, and Eid of the United States Court of Appeals for the 10th Circuit fraudulently denied Dale's Writ of Mandamus. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
  56. Officer Blevins also brought a Canadian passport form for Dale to fill out on July 19, 2021 to get a travel document. Dale's passport valid for 10 years was in the possession of ICE.
  57. On July 26, 2021 Officer Blevins threatened Dale with federal prison for the purposes of unlawfully destroying his passport. When Dale refused to violate the law, Officer Blevins left and returned with the notice of non-compliance.
  58. On July 27, 2021 Dale sent a letter requesting that the consulate investigate Dale's treatment and Officer Blevins intimidation and coercion. *The letter contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
  59. On July 27, 2021 Prothonotary Mirelle Tabib of the Federal Court of Canada sent orders to Dale's email to direct him to have a response for the Case Management of T-1367-20 when the FCC was aware that Dale was obstructed and tortured by ICE a Defendant in T-1404-20 and he had no access to email.
  60. On July 28, 2021 before 6 am Officer in Charge Christopher Jones spoke with Dale and refused to investigate Dale's torture while in ICE custody.
  61. On August 2, 2021 U.S. Magistrate Judge Kristin L. Mix of the District Court of Colorado issued fraudulent orders in a matter filed by Dale. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*

62. On August 5, 2021 United States Judge Lewis T. Babcock of the District Court of Colorado dismissed the motion for relief on the basis of fraud. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
63. On August 6, 2021, Michael Duggan fraudulently tampered with an appendix sent to the Supreme Court of the United States in which he re arranged the motion fraudulently calling it a petition to shut evidence out of court. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
64. August 13, 2021 Judge Lewis T. Babcock used fraud to dismiss the motion. Judge Lewis T. Babcock ignored the numerous references to the convention against torture, allegations and evidence of treason. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
65. On August 16, 2021 Judge Lewis T. Babcock fraudulently dismissed 18 U.S.C. § 3771 case No. 1:21-cv-02183-GPG without contemplating the public importance of reporting treason. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
66. On August 16, 2021 Judge Christine M. Arguello fraudulently dismissed case number 1:21-cv-02208-GPG. The verbiage of her order was almost identical to the order made by Judge Lewis T. Babcock. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
67. On August 25, 2021 a Deputy Clerk known as A. K. From the United States District Court for the District of Columbia used fraud to reject Dale's complaint. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
68. On September 21, 2021 Chief Judge Phillip A. Brimmer of the District Court of Colorado fraudulently dismissed an action that presented compelling evidence and supporting case law for treason, torture and Crimes against Humanity. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*

69. On September 28, 2021 J. Babcock was exposed in a Wall Street Journal Investigation for breaking the law by hearing cases where he had a financial interest and did not recuse himself.
70. On October 15, 2021 Acting Registrar of the Supreme Court of Canada, David Power sent a letter to Dale. He attempted to dissuade Dale from appealing the unlawful orders from the Court of Appeal for Saskatchewan. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
71. On October 13, 2021 Dale appeared before Justice V. Rochester in the FCC to appeal orders of P. Tabib obtained by fraud. Justice V. Rochester ruled in favour of the parties who committed fraud. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
72. On October 25, 2021 P. Tabib presided over a case management hearing in the FCC. The judge intimidated and coerced Dale during the hearing to give up his right of defense. Chantalle Eisner attacked Dale verbally during the hearing when Dale mentioned intent to punish innocent parties by the SHA.
73. On October 28, 2021 the Supreme Court of Canada denied Texas citizen Robert A. Cannon's leave to appeal a habeas corpus denied by fraud. He was punished with costs for an application that presented evidence of the following crimes without limitation, fraud, torture, child trafficking for the purposes of sexual and financial exploitation, criminal negligence, treason in Canada and the United States. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
74. On November 16, 2021, Pastor David Baker of the Living Hope SDA Church ("LHSDAC") contracted Robert A. Cannon for the first time and requested an apology in writing to present to the LHSDAC Church Board. The Board was considering disciplinary action against Robert A. Cannon for the Manitoba-Saskatchewan Conference of the Seventh-Day Adventist Church being named as defendants in an Application for Habeas Corpus filed by Robert A. Cannon, *which contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*

75. On December 12, 2021, Pastor David Baker invited Robert A. Cannon to speak with the church board who wanted to punish him for filing a Habeas Corpus. The Board made MOTION 21-139: to recommend to the church at a special business meeting on January 22, 2022 at 6:30pm in person at LHSDAC, for **Robert A. Cannon to be placed under disciplinary action by censorship until October 31, 2022**. The motion was carried.
76. On December 30, 2021 Dale attempted to enter the United States at the request of United States citizen Robert A. Cannon. Dale presented a letter Robert A. Cannon and proof of his United States citizenship and *documentation that contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting*. Dale and his family were assaulted, intimidated and coerced into returning to Canada after United States citizen Robert A. Cannon warned of the risk of torture and death of the first witness to treason against the United States. Dale was tortured and threatened with return to Saskatchewan where he was tortured upon arrival to Coutts AB. The fraudulent warrant issued by rogue members of the Battlefords RCMP was the reason given for unlawfully torturing Dale.
77. On January 4, 2022, the director of the Ministry of Justice for Saskatchewan, P. Mitch McAdam sent a letter to DSR Karis about constitutional questions for CACV3798. The letter fraudulently stated that the Applicant raised constitutional questions in the habeas corpus filed by Robert A. Cannon. *The constitutional questions were tied to documentation that contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting*.
78. David Baker and the Board did not provide any information explaining the Reasons for Discipline for the scheduled censorship meeting until January 18 of 2022, five days before the hearing.
79. On January 21 of 2022, Clint Wahl emailed procedures for the disciplinary hearing that restricted the ability of Robert A. Cannon or his witnesses to provide any reasonable defense. Robert A. Cannon stated that the hearing was prejudicial in his open letter to the church on January 22 of 2022. Robert A. Cannon and his witnesses declined to attend the prejudicial hearing. *The evidence for Robert A. Cannon's defense contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting*.
80. On January 22 of 2022 **the church membership voted to approve** motion 21-139 at the special business meeting held January 22, 2022 done in Robert A. Cannon's absence.

81. On January 31, 2022 the registrars of the CASK created a fraudulent document from information provided to them by DSR Karis. *This prevented the filing of CACV3798 which contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
82. On February 15, 2022 the FCC created a fraudulent court record that claimed Dale acknowledged service that he did not receive. The direction deprived him of the motion record already filed to the FCC which was his defense for a vexatious litigant hearing brought by the SHA against him set for March 1 2022. *The documentation contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.* Emily Price provided Dale the msg file purportedly sent with an acknowledgment. It is possible the msg file was forged. The FCC was forced to change the date.
83. On March 15, 2022 Patricia J. Meiklejohn served documents to Dale for the purposes of using court rules to remove the right of defense in DIV 70 of 2020, and to dismiss CACV3745 Dale's appeal of Justice J. Zuk's orders appealed December 13, 2020. *Documentation for both matters contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
84. On April 14, Justice J. Zuk admitted in his orders that the court was recording Dale, but the Court of King's Bench for Saskatchewan have denied any chambers recordings exists.
85. On April 26 2022 Justice J. Zuk attempted to coerce Dale into participating in the Court hearing against the advice of Dale family doctor without lawful cause. Justice J. Zuk determined that evidence that demonstrated Dale obtained custody of his eldest daughter after being a permanent ward of Winnipeg Child and Family Services was part of an "adjournment" application that was never made and assessed costs against Dale.
86. On May 5, 2022 Justice J. Zuk created fraudulent orders and stated that the applications and its over 5600 pages of evidence was tied to a recusal application made by an unnamed nephew of Dale on May 5, 2022. Justice J. Zuk made a decision based on fraud to state that none of the materials submitted by Dale would be on the court record "Accordingly, the documents shall not form part of the court record nor shall they form any part of any decision arising from the matters before me today". *Documentation for the matters contained evidence of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*

87. On July 20, 2022 Justice J. Zuk received a fax from DSR Karis alerting Justice J. Zuk that he was reported for crime. Justice J. Zuk received certified corporate records from the director of DSR Karis of its complaint and supporting materials. Jennifer Fabian committed fraud and stated in writing that Dale sent the materials to Justice J. Zuk for his personal complaint and stated that they would be sealed in an envelope on the court record. *Documentation contained evidence of complaints made to law enforcement of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
88. On July 22, 2022 Justice J. Zuk issued orders relating to the matters that he was reported for crimes to five divisions of the RCMP and to the Federal Bureau of Investigation. Justice J. Zuk contradicted his previous orders and included all of the evidence and used fraud to issue orders for financial gain. *Documentation before Justice J. Zuk contained evidence of complaints made to law enforcement of the criminally negligent representation of the AGMP guidance issued by the SHA and crimes used to suppress its reporting.*
89. On July 25 2022 unknown agents of the Court of King's Bench for Saskatchewan fraudulently applied court rules to prevent evidence or criminal activity from being placed before the court. It is possible one of the agents reported used their position to shield themselves from being exposed for crime.
90. On August 9, 2022 a judgment for divorce was fraudulently issued by the Court of King's Bench for Saskatchewan with three pending pending appeals relating to the matters in direct contravention to 12(3) of the Divorce Act.
91. On August 22, 2022 the Court of King's Bench for Saskatchewan fraudulently issued a certificate of divorce in contravention to 12(1) and 12(3) of the Divorce Act.
92. On August 24, 2022 an Unknown Registrar of the Court of Appeal for Saskatchewan attempted to place the motion for Mandamus in chambers where it was impossible for Dale to get relief after doing so for two motions for prerogative relief place before Justice J. Kalmakoff and then a subsequent time after that. This is an observed pattern of deliberate intent to prejudice.
93. On November 3, 2022 a hearing for the vexatious litigation took place at the Court of Appeal for Saskatchewan. Dale was not present for that hearing.

94. Substantial fraud has occurred in all court levels by rogue agents operating within the courts including without limitation, FCC and the Court of Appeal for Saskatchewan and evidence of the fraud is included in the attached documentation.
95. Dale received his author's copy of COVID-19 and Negligent Engineering Practices; "Will This Kill People?" COVID-19 and Negligent Engineering Practices; "Will This Kill People?" from his publisher. Much of this research was included in the documentation before the Court of Appeal for Saskatchewan that the judges claimed to not understand.
96. Kaysha F.N. Richardson was sexually assaulted on a number of occasions in Canada and the United States by Robert A. Cannon with the most recent sexual assault occurring in Austin Texas. The circumstances that made the sexual assaults possible arose from the events previously listed. Reports have been made to law enforcement.

## **PART II – STATEMENT OF THE QUESTIONS IN ISSUE**

97. Does Court of King's Bench for Saskatchewan have the right to disregard the Divorce Act and grant a divorce expressly forbidden by the Divorce Act?
98. Does the Court of King's Bench for Saskatchewan have the lawful capacity to commit fraud and create fraudulent divorce instruments in a family matter?
99. Do judges have the lawful capacity to engage in the profession of engineering/engineering technology while acting as a judge pursuant to the Judges Act?
100. Do judges have the lawful capacity to remove rights granted by law while acting as judges pursuant to the Judges Act?
101. Do judges have the lawful capacity to commit crimes on the bench and issuing orders that are criminal in nature while acting as judges pursuant to the Judges Act?
102. Do judges have the lawful capacity to order a human being to commit crimes while acting as judges pursuant to the Judges Act?
103. Do judges have the lawful capacity to override the law while acting as judges pursuant to the Judges Act?
104. Do judges have the lawful capacity to exceed jurisdiction while acting as judges pursuant to the Judges Act?
105. Do judges have the lawful capacity to adjudicate a matter in which a man who has presented evidence of the judges crimes before the court?



106. Do judges have the lawful capacity to break the law while sitting before the court and break the law in issuing orders?
107. Is it possible for an engineering report to be gibberish to a judge when the same material is able to be read intelligently and published by a publisher?
108. Can a person have a fair hearing before a Court who has tortured and persecuted him?
109. Does the judiciary have the right to traffick children under the age of 18 years, commit acts of terrorism 83.01(b), fraud 380(1), and other crimes without limitation in the civil court?
110. Does the judiciary have an obligation to take action when evidence of terrorist activity is laid before the court?
111. Does the Mental Health Services Act promote torture in the jurisdiction of Saskatchewan? Does it promulgate arbitrary arrest, detention, sexual assault, human trafficking, torture and Crimes against Humanity?
112. Is the torture convention theoretical in Canada?

### **PART III – STATEMENT OF ARGUMENT**

113. Torture is “blatantly contrary to section 12”<sup>1</sup> and is unacceptable in any circumstance. The violation of section 12 also engages the CAT and brings in violations of international law. The punishment of an infant child with unlawful sanctions is torture by a Canadian state actor and is unacceptable and would “outrage our society’s sense of decency” and any reasonable Canadian would find it “abhorrent or intolerable.”<sup>2</sup> The CAT which is an international instrument binding on Canada instructs the judiciary to prevent acts of torture, and it does not make any distinction between the civil and the criminal branches. Torture is of such an offensive nature that it is the obligation of any member of the judiciary to prevent any act of torture and should err on the side of caution to investigate any such acts to ensure that they are arrested and prevented. The CAT has universal jurisdiction in Canada.
114. High treason has no limits as to where it is committed and any overt act that contributes in any way to high treason cannot be tolerated in any manner regardless of where it is committed.

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<sup>1</sup> (Kazemi Estate v. Islamic Republic of Iran, 2014 SCC 62 at paragraph 52; Suresh v. Canada (Minister of Citizenship and Immigration), 2002 SCC 1 at paragraph 51)

<sup>2</sup> R. v. Smith, [1987] 1 S.C.R. 1045 at 1072; R. v. Morrisey, 2000 SCC 39 at paragraph 26)

115. There is clearly an ideological, and political purpose, and under closer inspection there is an observable religious motivation. Dale's employer DSR Karis is an essential service. Its business is in heating, ventilation, and air conditioning (HVAC). During his duties, Dale uncovered engineering guidelines that do not follow proper engineering practice. When confronted about the guidelines, the SHA did nothing. The SHA disregarded professional advice without providing any information to the contrary. This is unacceptable when human life is at risk. SHA misrepresentation of SARS-Cov-2 pandemic mitigation<sup>3</sup> guidelines is gross negligence. The mismanagement of the SARS-Cov-2 emergency by the SHA is Dale's political position that differs from the Government of Saskatchewan Applicant's home on a first appearance when there was no foreclosure on the property. This delineates deliberate intent to defraud.
116. The introduction of a critical weakness in to Canada by way of the AGMP guidelines constitutes an act preparatory to levying war against Canada, because the critical weakness was designed to increase effectiveness of a biological weapon to be used against Canada and mask it to look like a random outbreak.
117. The implementation of the AGMP guidelines federally is an act of high treason and an act of treason on a provincial level. Every province that has had a person or an agency implement the AGMP guidelines has committed an act of treason against the province and high treason against Canada;
118. Grand jury case law from the United States quoted as follows: *Conspiracy to altogether prevent enforcement of statute of United States is conspiracy to commit treason by levying war against the United States. Bryant v. United States, 257 F. 378, 1919 U.S. App LEXIS 2212(5<sup>th</sup> Cir. 1919)* agrees with section 46(1)(b),(4) of the Criminal Code of Canada which states: (b) levies war against Canada or does any act preparatory thereto; (4) Where it is treason to conspire with any person, the act of conspiring is an overt act of treason. Conspiracy is required for the implementation of the critical weakness introduced into infrastructure of Canada and any conspiracy to maintain the critical weakness that has been and will continue to be exploited must be considered an overt act of treason on the basis of the conspiracy alone and high treason at the same time as it is both levying war after a biological weapon was unleashed and preparatory to further attacks.
119. Civil courts were the primary mechanism for the suppression of information would have frustrated biological attacks that have interfered with the territorial integrity of Canada and the United States and every court that has suppressed the information in any way must be examined and considered to be party to high treason and treason in Canada and the

- United States; and any support of efforts in the one country of agents committing overt acts of treason in the other would be committing the crime of aggression against the foreign country.
120. The management of the court cases and the secret counsels used in all of them demonstrate the treacherous nature of the actors involved and the use of vexatious litigation in every court where the over acts of treason occurred are evidence of the treasonous nature of the actors involved.
  121. The fraud used in DIV 70 of 2020 demonstrates a violation of 380(1) of the Criminal Code of Canada. The divorce was determined on a first appearance when Dale J. Richardson and his adult daughter Kaysha was being tortured and stripped of everything that they had including all rights and access to Karis K.N. Richardson without lawful cause and in the process Karis was trafficked.
  122. The divorce judgment unlawfully issued severed the division of property from the divorce sine die but the property was already divided unlawfully on the first day and crimes were committed in the Court of King's Bench for Saskatchewan including using the land titles act and outright mortgage fraud to unlawfully dispose of the property to conceal treason.
  123. The Court of King's Bench for Saskatchewan issued a judgment for divorce while 3 appeals were pending relating to the divorce including an appeal of the orders given by Justice J. Zuk granting the divorce, and the judgment was issued 16 days after the orders of Justice J. Zuk was appealed and a certificate of divorce was fraudulently issued 13 days later for financial gain for Kimberley A. Richardson and to conceal collusion and crime used to obtain the divorce.
  124. The torture endured by Dale, Kaysha and Karis gave Robert A. Cannon opportunity to sexually assault Kaysha as the sexual assaults occurred when Kaysha was physically isolated from her father Dale. It is reasonable to presume that it would be easier for a predator to sexually assault Karis with her father physically removed from her by force and being tortured.
  125. The denial of a torture complaint under the CAT does allow for the prosecution of 18 U.S.C. § 241. *Treaty with foreign power was supreme law of land; Congress could provide punishment for its infraction on deprivation of or injury to right secured by it, as in case of ordinary law. In re Grand Jury (1886, DC Or) 11 Sawy 522, 26 F 749.* Based on this Grand Jury decision the United States could punish any treaty violation as violation of any law in the United States.

126. The actions of M. Duggan delineates a determined effort to deprive Dale of rights who is an Alien and Black. After documents were properly filed on June 23, and docketed on June 29, 2021, M. Duggan separated the motion from the petition to prevent Dale from gaining his freedom and further subjecting him to torture and hindered the presentation of evidence of treason to United States judges. M. Duggan is a part of a conspiracy preventing the enforcement of a United States Statute, and it is reasonable that there is also a criminal civil rights violation pursuant to 18 U.S.C. § 241. 18 USCS § 241 *does not require that any overt act be shown. United States v Morado (1972, CA5 Tex) 454 F.2d 167, cert den (1972) 406 US 917, 32 L Ed 2d 116, 92 S Ct 1767.*
127. Furthermore, force is not required if the conspiracy is detected early. ***The Government contends that, but for the timely interruption of the conspiracy by the apprehension of its leaders actual resistance would have come about.*** *The greater part of the evidence relied upon by the government to establish the conspiracy related to facts which occurred before the passage of the selective Draft Act. United States. Bryant v. United States, 257 F. 378, 1919 U.S. App LEXIS 2212(5<sup>th</sup> Cir. 1919)* There is overwhelming evidence of conspiracy, collusion, treason, judicial interference, complicity to torture, terrorism, crimes against humanity and other crimes.
128. Kidnapping, torture, trafficking in persons, trafficking of a person under the age of eighteen years for the purposes of exploitation is not a lawful basis for any order, nor can any order be valid that is part of the aforementioned crimes. Orders issued by Justice R.W. Elson formed a part of the aforementioned crimes in violation of 269.1, 279(1), 279.01(1), 279.011(1) and 279.04(1) of the Criminal Code of Canada and facilitated 380(1) of the same; and in aggregate caused a severe interference with the essential services of DSR Karis that directly caused harm to the public delineated in (A)-(C) of 83.01(b)(ii) of the Criminal Code of Canada.
129. The judiciary must take any and all measures to prevent acts of torture. Until an impartial investigation takes place, no action can lawfully be taken to place Dale or any third person connected to him that will place them at any risk to be tortured. **It must also stop treason and despotism. Treason and torture must be heard by the Court.**

**2 1. Each State Party shall take effective legislative, administrative, *judicial or other measures to prevent acts of torture in any territory under its jurisdiction.***

130. The continued persecution, torture, crimes against humanity levied against the CEO of DSR Karis has placed his life in jeopardy, and the courts in Canada has permitted it to continue and the SHA tortured Dale because of his research regarding the mixing factor.
131. The Land Titles Act was used to transfer the title to the registered office of DSR Karis in a divorce hearing governed by the Family Property Act. Justice B.R. Hildebrandt exceeded her jurisdiction in transferring the property under the Land Titles Act following a pattern of exceeding jurisdiction for Justice R.W. Elson to unlawfully order the sale of the property and hand over all possessions contained in the property in violation of the Family Property Act. Regardless, the Land Titles Act was the legislation used to transfer the title of the property in question and it confers the right of appeal to DSR Karis and Justice J. A. Schwann nor any other agent of the court had any right to deny that right of appeal. The proper course of action was to strike down the transfer based on a lack of jurisdiction. The fraud used to transfer the property was a reason why it was not struck down and is evidence of conspiracy and accessory after the fact to commit fraud in violation of 380(1), 463, 465 of the Criminal Code of Canada. The civil courts cannot be used to commit crimes ever.
132. A Writ of Certiorari and an oral hearing is necessary given the inability of a judge to speak to the relevance of a HVAC engineering report without the capacity of a mechanical engineer/mechanical engineering technologist experienced in HVAC.
133. Any determination without a competent person to speak to the matters to explain it would result in death and would be a crime to exercise capacity of a mechanical engineer/Mechanical Engineering Technologist or to override the expert opinion of the Mechanical Engineering Technologist who assembled the report for DSR Karis North Consulting Inc..
134. Court rules have been used consistently in the civil courts to advance treason and conceal and commit the following crimes without limitation, sexual assault, human and child trafficking for the purposes of exploitation, bioterrorism, high treason, treason, the crime of aggression, fraud, murder and criminal negligence. Court rules have also been used to create the circumstances to permit human trafficking and rape to continue and restrain the prosecution of the aforementioned crimes. The sexual assaults perpetrated by Robert A. Cannon against Kaysha would have never been possible had the court rules not been used to shield the crimes and advance the crimes listed in this document.
135. If the Supreme Court of Canada fails to grant the leave to appeal it would sanction all the crimes contained in the attached documentation and likely precipitate a military response

from the United States for the concealment of the distribution of a biological weapon used to attack the United States and effect its overthrow.

136. Chief Justice Richards lied about Dale being present for the vexatious litigant hearing. There were hearings scheduled day by the court for other matters some of which he appeared. The vexatious litigant was not one of them. It is clear that Chief Justice Richards lied about the ability to make sense of the documentation. The fact that Dale is a published researcher during the time that every court is claiming that he is producing unintelligible documents is evidence of the lies perpetrated by the courts. The prerogative writs attached to the document bear proof of the lies. This is evidence of a criminal organization operating within the civil court system.
137. Vexatious litigant orders were used to conceal crimes and to retaliate against Dale for exposing criminal activity within the courts and abusing court authority to conceal crime.

#### **PART IV – SUBMISSIONS IN SUPPORT OF ORDER SOUGHT CONCERNING COSTS**


138. The Applicant has had all parties involved in the litigation take actions to destroy his economic security with the objective of preventing it from seeking remedy or obtaining legal counsel to defend himself. The Applicant's life and liberty is threatened by the Respondents. Given the egregious treasonous conduct of the parties named in this action costs are warranted and should be ordered in this action.
139. Fraud by the courts to issue a divorce is a gross miscarriage of justice and a weaponization of the judiciary against a private citizen and extraordinary costs are warranted especially when the fraud has resulted in numerous deaths on other crimes being concealed.
140. Human trafficking and sexual assault should not be facilitated by the courts.
141. The CAT provides the means by which the judiciary can take action to prevent acts of torture and the order for costs are to prevent acts of torture, and to allow for the article 13 rights of the Applicant to stop the severe interference to an essential service and prevent harm caused in (A)-(C) of 83.01(b) of the Criminal Code of Canada.

#### **PART V – ORDERS SOUGHT**

1. Grant the appeal;
2. Quash the July 23, 2020 interim order obtained by fraud and torture in the courts;

3. Order of a Writ of Certiorari; and
4. Costs associated with incidental costs arising from torture to be determined by the Court;
5. Any other orders the Court deems just

JANUARY 2, 2023



DALE RICHARDSON

**PART VI – TABLE OF AUTHORITIES**

- 142. Section 40(1), and 55 of the *Supreme Court Act*,
- 143. Section 15(1) of the *Canada Business Corporations Act*,
- 144. Sections 7, 10(c), 12, 15 of the *Charter of Rights and Freedoms*, Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982 (U.K.)*, 1982, chapter 11,
- 145. Section 18, 84, 97(1), 99.1, 101.1(1), 107, 109(1), 110, 111, 112, 117(1), 131, 143(1), 144, 146 of the Land Titles Act (SK)
- 146. Section 83.01(b), 219, 229(6),(6.01), (6.1), 269.1, 271, 272, 273, 273.1, 273.2, 279.01, 279.011, 380(1), 463 and 465 of the *Criminal Code of Canada*,
- 147. Article 1-33 of the Rome Statute of the International Criminal Court,
- 148. the Crimes against Humanity and War Crimes Act,
- 149. 18 U.S.C. § 241,
- 150. 18 U.S.C. § 242,
- 151. 18 U.S.C. § 3771,
- 152. Article III Section 3 of the *United States Constitution*, and
- 153. **ARTICLE 2, 12, AND 13 OF THE *UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.***
- 154. Section 11(1)(a),(b),(c),(3),(4), 12(1), (3), 16(1),(2),(3), (4), (5) of the Divorce Act;



**PART VII – LEGISLATION**

## APPENDIX A