



(Court Seal)

FORM 301 - Rule 301
NOTICE OF APPLICATION

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F I L E D	FEDERAL COURT COUR FÉDÉRALE		D É P O S É
May 15, 2026 15 mai 2026			
Tristan Mercieca			
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Court File No. _____

FEDERAL COURT

BETWEEN:

KEVIN A. MCLEAN

Applicant

and

ROYAL CANADIAN MOUNTED POLICE, MICHAEL DUHEME, JEFF BALL, and
STEPHANE BRISSON

Respondents

APPLICATION UNDER sections 18, 18.1 and 18.2 of the *Federal Courts Act*, R.S.C. 1985, c. F-7, and the Rule 300-301
Federal Courts Rules, SOR/98-106, Part -1,

NOTICE OF APPLICATION

TO THE RESPONDENTS:

A PROCEEDING HAS BEEN COMMENCED by the applicant. The relief claimed by the applicant appears on the
following page.

THIS APPLICATION will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court orders otherwise, the place of hearing will be as requested by the applicant. The applicant requests that this application be heard at **Toronto, Ontario**.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or a solicitor acting for you must prepare a notice of appearance in Form 305 prescribed by the Federal Courts Rules and serve it on the applicant's solicitor, or where the applicant is self-represented, on the applicant, WITHIN 10 DAYS after being served with this notice of application.

Copies of the Federal Courts Rules information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO OPPOSE THIS APPLICATION, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

Date: _____

Issued by: _____

(Registry Officer)

Issued on: May 19, 2026

Issued by: Tristan Mercieca (Registry Officer)

Address of Local Office: Toronto Local Office / Bureau local de Toronto 180 Queen St. W., Suite 200 /180, rue Queen O., Bureau 200 Toronto, Ontario M5V 3L6

Address of local office:

Federal Court Registry
180 Queen Street West,
Suite 200
Toronto, Ontario
M5V 3L6

TO (name and address of each respondent):

TO:

RCMP National Headquarters 73 Leikin Drive Ottawa, ON K1A 0R2 Canada
Email: Legal_Services@rcmp-grc.gc.ca

TO:

Commissioner of the RCMP Mr. Michael Duheme 73 Leikin Drive Ottawa, ON K1A 0R2 Canada

Email: Michael.Duheme@rcmp-grc.gc.ca

TO:

Director General of RCMP Access To Information and Privacy Branch (the "ATIP Branch") Mr. Stephane Brisson 73 Leikin Drive Ottawa, ON K1A 0R2 Canada

Email: stephane.brisson@rcmp-grc.gc.ca

TO:

Director, Privacy, RCMP ATIP Branch Mr. Jeff Ball 73 Leikin Drive Ottawa, ON K1A 0R2 Canada

Email: Jeff.ball@rcmp-grc.gc.ca

NAME AND ADDRESS of every other person required to be served

TO:

Mr. Matt Peggs

Assistant Commissioner of the RCMP

Regional Commander of the Central Region of Ontario (formerly the "O" Region (O Division, Ontario, Commanding Officer, 'O' Division)) for the RCMP

RCMP Central Region Headquarters

Royal Canadian Mounted Police

130 Dufferin Avenue

London, Ontario N6A 4K3

Canada

Telephone : 519-640-7254

Alternate Telephone : 1-800-387-0020

Fax : 519-640-7425

TDD : 519-640-7495

(Originating Agency Identifier in Canadian Police Information Centre ("CPIC")): **ON80300**

AND TO:

The RCMP Milton Detachment known as the Toronto West Detachment (the "TWD")

TORONTO WEST - MILTON DETACHMENT

2755 High Point Drive

Milton, Ontario L9T 5E8

Canada

Telephone : 905-876-9500

Fax : 905-876-9595

Attention: Regional COM Mr. Matt Peggs

Attention: Officer-in-Charge

(Originating Agency Identifier in Canadian Police Information Centre ("CPIC")): **ON80313**

APPLICATION

(Where the application is an application for judicial review)

This is an application for judicial review in respect of:

(Identify the tribunal)

The Royal Canadian Mounted Police (“RCMP”)

The Applicant notes that the RCMP is a “Tribunal” under the Federal Courts Rules (*FCR*) under Rule 317 and by cross-reference to section 2(1) of the *Federal Courts Act* (the “*FCA*”) under the “Other Tribunal” component of the definition of: “**federal board, commission or other tribunal**” means any body, person or persons having, exercising or purporting to exercise jurisdiction or powers conferred by or under an Act of Parliament or by or under an order made under a prerogative of the Crown, other than the Tax Court of Canada or any of its judges or associate judges, any such body constituted or established by or under a law of a province or any such person or persons appointed under or in accordance with a law of a province or under section 96 of the Constitution Act, 1867.

Section 2 of the *FCR* states: tribunal has the same meaning as “**federal board, commission or other tribunal**” in the Act. Ergo, the RCMP is a Tribunal under the Court Rules and under the *Federal Courts Act*.

Moreover, the person or persons, exercising validly pursuant to delegation by the Head of the Government Institution (RCMP) or purporting to exercise powers pursuant to an Act of Parliament (specifically the *Privacy Act* and/or *ATIA*) are part of the definition of Tribunal or “**Federal Commission, Board, or Other Tribunal**” under the *FCA*. Pursuant to section 73(1) of the *Privacy Act*, Mr. Brisson is listed as the Director General ATIPB of the RCMP, and Mr. Jeff Ball has represented himself to be a Director of Privacy with the RCMP.

(Set out the date and details of the decision, order or other matter in respect of which judicial review is sought)

In relation to the decisions, orders, or other matters in respect of which judicial review is sought, some involve that which could be considered an “Order” (see: section 2 of the *FCR*) as they involve a decision or other disposition of a Tribunal.

The other matters in respect of which judicial review is sought involve the purported exercising of jurisdiction or powers under the *Privacy Act* which stem from documents in the possession of the Applicant but also documents not in the possession of the Applicant.

The details of the decision, order or other matter in respect of which judicial review is sought involving the failure to search issue, which constitutes an Order under the *FCA* and *FCR*, was on April 27, 2026, and so communicated to the Applicant by the RCMP via email. Nonetheless, the Respondent took an extension of time of some 60 days from the date of receipt of the Applicant’s express mail, with tracking, access request under the *Privacy Act*, which was received by the RCMP on March 11, 2026. 60 days from said date was May 11, 2026.

The RCMP did not communicate to the Applicant that it conducted any further searches of the required repositories including but not limited to: Foundational Metadata Repositories for the Foundational Metadata; and the Offline Historical Database with respect to any hexadecimal dumps involving any potential amended or purged data that was consistent or not consistent with the “False Information Package” which was filed in a transferee courthouse known as the OCJ 10 Armoury Street Courthouse. The failure to search decision of the RCMP and the individual Respondents, some or all (as known to each), is the subject of the mandamus relief *infra*.

The details of the decision, order or other matter also involve the neglect or failure to consider the requirement of the Head of the RCMP to consider whether, pursuant to ss. 8(2), particularly clause 8(2)(m) of the *Privacy Act*, and expressly or by

implication section 19 of the *ATIA*, to disclose to the Applicant any Personal Information and to the public at large or certain segments of the public any record under the *ATIA* requests of the Applicant in April and May 2026.

1. The applicant makes application for:

a. **Loss of Jurisdiction by the RCMP Tribunal:**

1. **A Declaration** that the RCMP Tribunal, pursuant to section 2 of the FCR and section 2 of the FCA lost jurisdiction over, or acted without jurisdiction in relation to, Matter No. **P-2025-16999** (albeit the PII Access Request (March 11 2026) was made and delivered on March 11, 2026) by reason of: a. a breach of the duties of good faith and procedural fairness; b. the presence of conflicts of interest, actual bias, and/or a reasonable apprehension of bias; and c. a profound lack of operational independence and impartiality;
2. **A Declaration** that the Respondent exceeded its statutory mandate, refused to exercise its mandatory jurisdiction, and/or improperly purported to exercise powers outside of its jurisdiction in an *ultra vires* manner, rendering any and all steps, proceedings, and decisions in Matter No. **P-2025-16999** void *ab initio*;

- b. **Mandamus:** An Order in the nature of writ of mandamus compelling the RCMP to discharge its public duty to act to the Applicant to search for the requested Personal Information;
- c. **Mandamus:** An Order in the nature of Writ of Mandamus compelling the RCMP, through the Head of the RCMP in the RCMP Commissioner, Mr. Michael Duheme, to discharge its public duty to consider whether a public interest disclosure is required under section 8(2)(m) of the *Privacy Act* with reference to section 19 of the *Access to Information Act*;
- d. **Compliance Confirmation:** An Order directing the RCMP to provide a sworn affidavit or declaration from a qualified person detailing the searches conducted pursuant to this Order, including audits of the Foundational Metadata Request and hexadecimal searches of the Offline Historical Database relating to the Applicant's Personal Information. An Order that this affidavit or declaration shall be served on the Applicant and filed with this Honourable Court within five (5) days of the date of this Order;
- e. **Prohibition:** An Order in the nature of writ of prohibition enjoining the Respondent, its delegates, administrators, custodians, and any affiliated bodies from expunging, altering, transferring, sanitizing, migrating, obfuscating, or archiving beyond rapid retrieval any metadata, system logs, or historical audit trails associated with Police Case ID: 457197 (and any related TPS Case File or Occurrence Number) pending the final adjudication of this Application and the exhaustion of all appeals;
- f. **Prohibition:** An Order in the nature of writ of prohibition or injunctive relief restraining from searching repositories that were not within the scope of PII Access Request (March 11 2026) for the purposes of said access request;
- g. **Judicial Oversight:** An Order that this Honourable Court remain seized of this matter to oversee compliance with the Orders herein and to address any subsequent issues arising from the Respondent's execution of these directives;
- h. **Interim and injunctive relief:** An Order granting immediate interim injunctive relief pending the final disposition of this Application;
- i. **Permanent injunctive relief:** An Order granting permanent injunctive relief to abate the ongoing statutory breaches;
- j. **Bad faith and improper motives:** A Declaration that by failing to discharge public ministerial or executory duties to act to the Applicant at first instance and in the face of demands by the Applicant, the Respondents engaged in improper motives, bad faith, abuse of process, or other impermissible

reasons for purporting to exercise a power pursuant to an Act of Parliament or refusing to exercise jurisdiction or a power under an Act of Parliament;

- k. **Breach of Fiduciary duties:** A Declaration that the Respondents breached their duties of good faith and/or fiduciary duties to the Applicant and the public by their conduct herein;
- l. **Procedural unfairness:** A Declaration that the Respondents breached their duties owed to the Applicant of procedural fairness, natural justice, and administrative fairness;
- m. **Decision making bias, dependence and partiality:** A Declaration that the Respondents were actually biased towards the Applicant and/or exhibited the appearance of bias to a reasonable and informed observer. A further **Declaration** that there was and is a reasonable apprehension of bias, lack of independence, lack of impartiality amongst the Respondents and all of those within the ATIP Branch and the RCMP policing forces as it relates to the issues and grounds in this Proceeding herein;
- n. **Dependence and partiality:** A Declaration that the Respondents were operating under, or had the reasonable appearance of, a conflict of interest, a lack of institutional independence, and/or a lack of impartiality;
- o. **Police Case ID: 457197:** A Declaration that the Police Case ID: 457197 or part of that number is a jurisdictional identifier uniquely assigned by the RCMP;
- p. **Admissions and Estoppel by record:** A Declaration that the April 27, 2026, letter signed by Ms. Worrell on behalf of Mr. Jeff Ball, Director, Privacy (RCMP) with a metadata author of Kristen Wardrop, and the appended three page document from the RCMP, when measured against the referenced letter appended by the appellant under MFIPPA involving the Halton Regional Police Services Board (indexed as 2024 CanLII 67092 (ON IPC) (Order MO-4542; Appeal MA21-00096) (the “Halton Police 2024 Case”)), amounts to an admission at law or, in the alternative, that Respondents are estopped by record as end notedⁱ;
- q. **Unrequested search of Specialized Policing Services of RCMP:** A Declaration that the Respondent, RCMP, and Mr. Ball’s inclusion of an admission that it searched in the “Specialized Policing Services” amounts to an institutional admission that the Applicant’s Personal Information migrated out of standard divisional boundaries and directly into the RCMP’s national operational and technological commandⁱⁱ;
- r. **Originating Police Agency (RCMP):** A Declaration that the RCMP was the originating law enforcement agency by reference to either the RCMP former Ontario (“O” or “O Division”) Headquarters, later renamed to “Central Region” in London, Ontario, with an ORI Number of ON80300 under CPIC (the “CPIC Number 80300”) and its RCMP Regional Commander (“Reg. COM”), Mr. Matt Peggs or the RCMP Toronto West Detachment located in Milton, Ontario (the “Toronto West Detachment” or “TWD”) with CPIC ORI Number ON803313, which is responsible for Toronto West;
- s. **TPS 14th Division in Toronto (West) without copy of INTAKE COURT ENDORSEMENT (SEPT 23 2024) and/or “warrant in the first”:** A Declaration that one of the underlying reasons the Toronto Police Services Board (“TPS”), 14th Division did not have a copy of the purported process(es) or warrants and the arresting Police Officers did not have a copy on “him” or “her” and were unable to produce it when formally requested to do so, pursuant to the Applicant’s Charter rights and section 29 of the Criminal Code, was because the RCMP had sole possession, control and custody in its file under Police Case ID: 457197 or otherwise, and the respective RCMP and TPS digital architectures do not synchronize;
- t. **The most convenient fictitious Justice for the False Information Package:** A Declaration that the underlying reason Justice of the Peace Mr. George Jiri was utilized as the fictitious authorizing justice of the peace was due to, inter alia, his proximity in Peel Regional Police Services (OCJ Brampton) to the OCJ Brampton Courthouse which was the closest courthouse to the RCMP TWD (Milton);
- u. **RCMP possession of Authentic Information Package:** A Declaration that the RCMP has maintained possession (actual and sole, as it relates to Executive Branches of government of law

- enforcement) of the underlying authentic, completed, sworn (deemed or in person) Information package (the “Authentic Information Package”), alongside any endorsements or warrants, since their completion, including any transcription by the “law enforcement applicant” of an in-person judicial chambers appearance and/or via telecommunication that “produced a writing” and/or that did “not produce a writing”;
- v. **RCMP denoted unlawful seizure and search:** A Declaration that the RCMP through designated agents on its behalf unlawfully seized the Applicant’s property (primarily chattels including private, confidential and/or privileged documentation from this residence at Unit 410-775 King Street West, City of Toronto, Province of Ontario, M5V 2K3) and/or without lawful execution upon him with a search and/or seizure warrant, on or after September 20, 2024 and prior to October 2, 2024;
 - w. **Improper motives to not search the PIB and other repositories:** A Declaration that the sole reason the RCMP ATIP Branch did not search the Personal Information Bank request and any locations under the control of it was because it knew, or was deemed to know, that it would have irrevocably implicated the RCMP Specialized Policing Services’ (the “SPS”) unit or an alternate RCMP department;
 - x. **Forthwith search of Foundational Metadata Location and Offline Historical Database Location:** An Order that, on account of the RCMP SPS’ unit being involved with the Applicant commencing in 2024 but concealed from the Applicant, such a search of the RCMP CPIC database, including Foundational and Offline Historical Database repositories, must be executed forthwith, and that the RCMP ATIP Branch must assign qualified individuals to conduct an audit under the Foundational Metadata Request alongside a specialized, qualified individual to conduct the specialized mainframe analysis of hexadecimal dumps and hexadecimal inputs;
 - y. **Privacy Act, section 10:** A Declaration that the Applicant is legally entitled to all of his personal information under the control of the Government Institution (RCMP) that has been used, is being used, or is available for use for an administrative purpose pursuant to ss. 10(1)(a) of the *Privacy Act*, or is organized or intended to be retrieved by the name of an individual or by an identifying number, symbol, or other particular assigned to an individual (see: ss. 10(1)(b) of the *Privacy Act*);
 - z. **Temporal computation declaration:** A Declaration that the Applicant provided, by his PII Access Request (March 11 2026), received on said date and not March 12, 2026, sufficiently specific information regarding the location of the information as to render it reasonably retrievable by the government institution;
- aa. Offline Historical Database:**
- 1. A Declaration that the RCMP has exclusively control of the Offline Historical Database over any and all other police service board and police services in the country;
 - 2. A Declaration and Order that the Applicant is entitled to any and all transactional logs including “ADD”, “MODIFY”, “CLEAR”, and “CANCEL”, but solely in relation to Personal Information concerning himselfⁱⁱⁱ;
- bb. Inapplicability of Privacy Act, ss. 19(1)(d):**
- 1. A Declaration that ss. 19(1)(d) of the *Privacy Act* bears no applicability to the Personal Information sought by the Applicant in a PIB or otherwise, as such Personal Information relates to that which was uploaded or input into CPIC, as those inputs provide the ultimate source of truth in relation to public court records like an Information or an Indictment, court endorsements, a summons, and/or an arrest warrant, which are universally publicly available after a process has been issued and/or an individual has been arrested;
 - 2. A Further Declaration that not only is the Applicant legally entitled to the same but so is the public at large, and no equitable duty of confidence arises as the Personal Information of the Applicant—also the Personal Information of a presiding Judge, of which they are both entitled to the same under the *Privacy Act* and the public under *ATIA*, along with the name of the fictitiously input Justice of the Peace under the *Privacy Act*—is unequivocally public information and constitutes public records subject to the ss. 19(2) of the *Privacy Act* override;

cc. Duty of Confidence never arises with non-exempt PIB's and CPIC:

1. A further Declaration that the Personal Information sought by the Applicant in a PIB and in any repository involving CPIC or related to CPIC could not meet the common law test for “confidential information” because whether classified as Personal Information or information (i.e. transactional logs, terminal ID's, issuing court, issuing court level, geographic location, system identification numbers, modification to WANT records) (i) such information was not communicated in a relationship of confidence; (ii) the information by its very nature is NOT confidential; and/or (iii) the information was not communicated for a purpose that necessitates confidentiality;

dd. PII Access Request (March 11 2026) related to administrative data (not “intelligence”): A Declaration that the Personal Information that the Applicant was seeking under the *Privacy Act* constituted administrative data of himself and not intelligence per se, but rather the administrative record of a transaction on a federal mainframe (CPIC), and the likes of the Terminal ID, ORI, issuing authority, name of a judicial officer, and system identification number (SID) are structural artifacts of the RCMP's own system architecture, and not confidential communications;

ee. Section 19 inapplicable when RCMP is the originating police force: A Declaration of Law that Parliament did not include the likes of a federal government established by or pursuant to an Act of the legislature or a province, or an institution of such a government, under ss. 19(1)(d), and to the extent that the RCMP was strictly responsible for its entry, the RCMP can never rely on ss. 19(1)(d) in relation to requests for administrative Personal Information residing in a PIB or in CPIC, alongside Foundational Metadata and Offline Historical Database Personal Information;

ff. Section 22(1)(b) without merit in relation to PII Access Request (March 11 2026): A Declaration that the RCMP's reliance on section 22(1)(b), entirely absent the searching of the storage, repositories, or locations housing the Foundational Metadata Request and Offline Historical Database Request, does not fall under ss. 22(1)(b), and by relying on such a subsection, the RCMP admitted that the Applicant had not received access to or disclosure of his own **Personal Information**, which acts as the source of truth to be measured against the “Open Court Principle”^{iv};

gg. Warrant spent on October 2, 2024: A Declaration that once the warrant (arrest), when signed or not signed by the undisclosed presiding Judge in an “Ex Parte In Camera Hearing”, whether in person in judicial chambers or via telecommunication that did or did not produce a writing, was executed on October 2, 2024, the investigative necessity of the CPIC entry definitively expired and transformed into a historical artifact, thus section 22(1)(b) holds no relevance *ab initio* or thereafter despite the blatant absence of a search;

hh. Identity of the municipal or regional government: A Declaration that the RCMP is statutorily required to provide the identity of the municipal government or “regional government” that it was vaguely referring to under section 19(1)(d) in its April 27, 2026, letter;

ii. Consequential Relief: An Order granting any consequential relief that flows from the above, or the required materials to be filed by the Tribunal that were in its possession at the time of making any decisions, orders, or other matters subject to judicial review herein known or to be known;

jj. Leave to make further submissions: An Order granting the Applicant leave to make further submissions and tender further evidence pre- and post-granting of the orders herein to avoid any multiplicity of proceedings and the avoidance of wasteful and deleterious government spending, alongside the inefficient use of government resources;

kk. Costs: An Order granting the costs of this Application on a full indemnity basis;

ll. Interest: An Order granting prejudgment and post judgment interest on any costs awards or otherwise; and

mm. Residual Relief: An Order granting such further and other relief as this Honourable Court may deem just and equitable.

The grounds for the application are:

PARTIES TO THE PROCEEDING: INSTITUTIONAL APPARATUS AND THE INDIVIDUAL APPLICANT

The Applicant and the Foundational Factual Matrix: A Contextual Substratum of Systemic Obfuscation

Introduction and Jurisdictional Nullification

2. It is respectfully submitted that a profound, unprecedented, and systemic manipulation of judicial instruments was effectuated *post facto* to the arrest of Mr. Kevin A. McLean (the “**Applicant**”) on October 2, 2024. Consequently, the purported processes, including the underlying criminal proceedings (the “**Criminal Proceeding**”), were rendered void *ab initio* upon the fabrication of a fraudulent document, in direct contravention of the *Criminal Code*, RSC 1985, c C-46 (the “**Criminal Code**”), and upon its subsequent filing within the Ontario Court of Justice 10 Armoury Street Courthouse (the “**Armoury Street Courthouse**”). It must be categorically established *in limine* that the aforementioned fabrication constitutes an absolute nullity, and cannot be construed as a mere procedural irregularity, given the direct contravention of statutory mandates, common law precepts, and equitable principles.
3. The designation of the aforementioned fabrication as an unprecedented information package (the “**False Information Package**”) is utilized meticulously, as the historical jurisprudence and public disciplinary registries of this jurisdiction are devoid of any analogous manifestation of malfeasance. The documented transgressions delineate circumstances wherein law enforcement authorities not merely manipulated the endorsement of a process or an arrest warrant through the impersonation of a judicial officer, but effectuated the wholesale falsification of an entire information package, purportedly assembled pursuant to the *Criminal Code*.^y

Jurisprudential Distinctions: Subfacial Deficiencies versus Absolute Nullities

4. To substantiate the gravity of subfacial and facial fabrications, reliance is placed upon *R. v. Schertzer*, 2015 ONCA 259 (the “**Schertzer Decision**”), and *R. v. Hansen*, 2018 ONCA 46 (the “**Hansen Decision**”). These appellate authorities adjudicated instances of subfacial fabrication, wherein ostensibly valid judicial authorizations were rendered constitutionally defective due to underlying prevarications promulgated by law enforcement officials regarding the scope of their investigations and the purported existence of reasonable grounds to believe (the “**Reasonable Grounds To Believe**”).
5. The *Schertzer Decision* involved the falsification of police notes designed to conceal an unlawful search, whereas the *Hansen Decision* addressed the invalidation of search warrants predicated upon misleading information sworn by affiants. Applying the legal principles elucidated therein to the present factual matrix, it is evident that the actions deployed against the Applicant transcend mere subfacial deficiencies; they constitute overt, absolute fabrications of judicial processes *ab initio*.

6. A comparative analysis necessitates an examination of *Silva v. R.*, 2021 QCCS 4627, and *Silva v. R.*, 2021 QCCS 4131 (collectively, the “**R. v. Silva Decisions**”). The factual matrix therein involved an officer of the Service de Police de la Ville de Montréal (the “**SPVM**”), Officer Guillaume Joly-Tessier, who temporarily misappropriated a judicial stamp belonging to a Justice of the Peace to forge an arrest warrant. The target of said fabrication was a highly dangerous, convicted fugitive possessing a documented history of severe, violent criminality, including armed robbery and murder. While the misconduct elucidated in the “**R. v. Silva Decisions**” was undeniably deplorable, it was rationalized internally as a manifestation of noble-cause corruption, undertaken *in extremis* to apprehend a significant threat to public safety.
7. Conversely, the circumstances surrounding the Applicant, an individual devoid of any criminal antecedents but for the soundly defeating of the RCMP and former RCMP officers while retained by the soon to be defunct LSBC, stand in stark contrast to the preceding authorities. The fabrication of the *Criminal Code Form 2 Information* (the “**Form Two Information**”) within the False Information Package involved the installation of a Toronto Region Court Officer, Mrs. Frugoni-Rojas, as a fabricated informant (the “**Fictitious Informant**”). Furthermore, the process ostensibly engaged a fictitious Justice of the Peace, Mr. George Jiri, improperly ascribed to the Ontario Court of Justice Brampton Courthouse (the “**Brampton Courthouse**”). The Applicant maintained no residential or jurisdictional nexus to the Brampton Courthouse. Geographically and jurisdictionally, the Royal Canadian Mounted Police Milton Detachment (the “**RCMP Milton Detachment**”) operated with proximity and oversight regarding specific federal matters within Toronto West. Simply put, unprecedented fraud on two levels of court involving a fictitious informant and fictitious judicial officer. More colourfully put, Mr. Jeff Ball, Director, Privacy, of the RCMP ATIB Branch has the audacity to represent that he cannot search the Foundational Metadata Repository and Offline Historical Database Repository. The Applicant pleads that the RCMP ATIB Branch must search but it does not want to search for fear of what it will discover.

Systemic Institutional Obfuscation and the Absence of Competent Jurisdiction

8. The systemic manipulation extended to the purported identification mechanisms, specifically Police Case ID: 457197 and the altered designation “C L (M)”, which, calculated upon a balance of probabilities, referenced the Regional Commander of the Central Region, Mr. Matt Peggs (the “**Regional Commander**”), potentially in connection with his investiture into the Order of Merit of the Police Forces. Subsequent investigations executed by the Applicant, initially in March 2025 and subsequently verified directly at the Armoury Street Courthouse in June 2025, confirmed the absolute non-involvement of any legitimately appointed judicial officer from the Toronto Region.
9. Consequently, the purported *ex parte in camera* proceeding (the “**Ex Parte Hearing**”) was discovered to have been ostensibly situated at the Superior Court of Justice 361 University Avenue Courthouse (the “**Originating**”).

Courthouse”). It was subsequently unveiled that the originating office was the family law division situated on the primary level of the Originating Courthouse. This geographical and structural anomaly illuminated the improper involvement of Madam Justice Shore, who, during her tenure as practicing counsel, provided representation to the former spouse of the Applicant’s former common-law partner, Mr. Papadimitropoulos.

10. At the material times, Mr. Papadimitropoulos operated as the Statutory Accident Benefits Schedule manager (the “**SABS Manager**”) at the TD Insurance Group, wherein he perpetrated a multifaceted fraud concerning the administration of the Applicant’s accident benefits. These benefits originated from an automobile collision devoid of fault on the part of the Applicant, which occurred on August 31, 2022. Following the discovery of fraudulent signatures effectuated by Mr. Papadimitropoulos, he was subsequently dismissed from his employment in January 2025. Upon the Applicant's discovery of the aforementioned fraudulent activities on September 19, 2024, the Applicant was subjected to an unlawful exclusion from his residence on September 20, 2024, ostensibly facilitated by proximate law enforcement personnel.
11. The fabricated endorsement, dated September 23, 2024 (the “**Intake Court Endorsement**”), remained facially irregular and evocative of family law or insolvency proceedings, rather than criminal adjudication. The Applicant’s subsequent efforts to secure a copy of the *Criminal Code Form 7 Warrant for Arrest* (the “**Form Seven Warrant**”) were systematically thwarted by the administrative apparatus at room 241 of the Originating Courthouse.
12. *Nota bene*: It might be argued by the Respondents that the utilization of family court facilities or mislabeled endorsements merely constitutes an administrative irregularity capable of being cured under equitable principles or procedural rules. However, applying Herbert Broom's maxim *actus curiae neminem gravabit* (an act of the court shall prejudice no man), alongside the strict doctrine of jurisdictional competence, it is submitted that a proceeding commenced in a wholly inappropriate division by way of forged documentation constitutes a fundamental nullity, rendering all subsequent enforcement actions *ultra vires*. The Royal Canadian Mounted Police (the “**RCMP**”) is consequently bound to produce the unredacted evidentiary materials pursuant to *Rule 317* of the *Federal Courts Rules*, SOR/98-106 (the “**Federal Courts Rules**”).

Digital Forgery and the Mandate for Remedial Disclosure

13. It must be emphasized that the execution of the False Information Package was facilitated utilizing GrapeCity manipulation software, currently operating under the nomenclature “Mescius” (the “**GrapeCity Software**”). The metadata extracted from the impugned documentation corroborates the deployment of version 6.0.2.0 of the GrapeCity Software. This revelation, which is the subject of two formalized requests under the *Access to Information Act*, RSC 1985, c A-1 (the “**ATIA**”), funded and submitted by the Applicant in the vernal season of 2026, cements the unprecedented nature of this malfeasance. The imperative is unequivocally placed upon the Head of the Government Institution (the “**Institution Head**”) to issue public disclosure notices pursuant to paragraph

8(2)(m) of the *Privacy Act*, RSC 1985, c P-21 (the “*Privacy Act*”), and section 19 of the *ATIA*, to prevent the perpetuation of this systemic abuse, restoring the *status quo ante* for any other members of the populace who may be subjected to similar covert manipulations.

14. The Criminal Proceeding was rendered a nullity, at law, *ab initio* at the precise moment of its digital fabrication.

The Respondents: Statutory Delegates, Fiduciary Obligations, and the Federal Apparatus

15. The Royal Canadian Mounted Police (the “*RCMP*”) is a federal institution and Government Institution under the Privacy constituted and governed by the strictures of the *Royal Canadian Mounted Police Act* (the “*RCMP Act*”).

16. Commissioner Michael Duheme, in his capacity as the apex of the institution, is inextricably bound by the administrative and fiduciary obligations legislated by Parliament.

17. Director General Stephane Brisson and Privacy Director Jeff Ball, acting as delegates within the Access to Information and Privacy Branch, are similarly constrained by the unyielding imperatives of statutory compliance.

18. The paramount importance of the *RCMP Act* is underscored by the solemn statutory duties articulated under section 37 thereof, which compels adherence to the highest standard of conduct. This obligation is further entrenched by the oaths sworn by the Respondents to uphold the law, fundamentally precluding any *ultra vires* administrative shielding or institutional complicity.

EQUITABLE REMEDIES IN THE NATURE OF MANDAMUS: COMPELLING THE EXECUTION OF NON-DISCRETIONARY PUBLIC DUTIES

19. Relief in the nature of mandamus constitutes an imperative and equitable prerogative remedy, available to compel the performance of a public duty that has been unlawfully disregarded.

20. The rigorous legal test for mandamus is demonstrably satisfied, as delineated by the Federal Court of Appeal in *Apotex Inc. v. Canada (Attorney General)* (the “*Apotex*”).

21. It is self-evident that clear, unequivocally articulated demands were effectuated by the Applicant, triggering the Respondents’ strict legal duties to conduct searches of the Foundational Metadata Repository and the Offline Historical Database Repository. The ensuing period of administrative silence and *de facto* refusal necessitates judicial intervention *in limine* to restore the *status quo ante* and compel the execution of the statutory mandate.

PREROGATIVE RELIEF IN THE NATURE OF PROHIBITION: ENJOINING PROSPECTIVE MALFEASANCE AND DIGITAL SPOILIATION

22. An order of prohibition is sought *in limine* to permanently enjoin the Respondents, and any delegated subordinates, from the spoliation, deletion, alteration, or obfuscation of immutable digital artifacts residing within the federal architecture.

23. The tripartite test for prohibition is incontrovertibly met, predicated upon *prima facie* evidence of impending administrative malfeasance, rendering such extraordinary relief imperative to safeguard the integrity of the administration of justice.
24. The entitlement to such relief is crystallized by the imperative to safeguard the foundational metadata and hexadecimal arrays residing within the Canadian Police Information Centre (the “CPIC”).

DECLARATORY JUDGMENTS: ESTABLISHING JURISDICTIONAL NULLITY AND VINDICATING SUBSTANTIVE RIGHTS

25. Declaratory judgments are within the absolute discretion of a court with equitable jurisdiction (not to be conflated with Inherent Jurisdiction) like the FCC. They serve as potent instruments of judicial oversight, invoked to authoritatively pronounce upon the rights of the parties and the legal characterization of *acta* undertaken by public bodies
26. While acknowledging the inherently discretionary purview of the Federal Court of Canada (the “FCC”), the test for declaratory relief is incontrovertibly satisfied by the presence of a real, substantial, and immediate dispute wherein the Applicant possesses a vital interest.
27. The utility of such declarations is paramount in exposing the systemic bypass of mandatory legislative frameworks, thereby establishing an authoritative and permanent record of the nullity of the manipulated judicial instruments.

OUSTER OF INSTITUTIONAL JURISDICTION: FATAL APPREHENSION OF BIAS, FUTILITY, AND STRUCTURAL INCOMPETENCE

28. **The Test for Losing Jurisdiction:** It is an established principle of administrative law that a reviewing court will completely strip a tribunal of its jurisdiction—refusing to remit the matter back—only under exceptional circumstances where the tribunal is rendered legally incapable of providing a fair or valid rehearing.
29. **The Core Legal Test:** To displace the standard remedy of remitting a case back to a tribunal, an applicant must demonstrate that remittal would be futile, unfair, or fundamentally break the administration of justice. The court rigorously examines whether the tribunal can still fulfill its statutory duty impartially and effectively.
30. **Reasonable Apprehension of Bias (Conflict of Interest):** The Respondents operate under a reasonable apprehension of systemic bias and conflict of interest, rendering the tribunal legally incapable of providing an independent review, thereby necessitating that this Honourable Court retain absolute jurisdiction over the matter.

31. **Failure or Refusal to Exercise Jurisdiction:** The Tribunal fundamentally misinterpreted its statutory mandate and displayed a persistent unwillingness to apply the law, culminating in a grave jurisdictional error that requires direct judicial intervention to prevent repeated procedural failures.
32. **The Futility and Operational Exception:** Based on the totality of the Respondents’ inadequate responses under the *Privacy Act* and *ATIA*, remitting this matter back to the Tribunal would be futile, serve no practical legal purpose, and constitute an unjustifiable waste of public resources.
33. **Severe Lack of Institutional Competence:** The statutory duty imposed on the Commissioner to determine public interest disclosure places the RCMP in an inherent conflict, irreparably compromising its independence and establishing a structural incapacity to conduct a procedurally fair adjudication of the Applicant’s requests.

FORENSIC AND TECHNICAL METADATA IMPERATIVES: EXPOSING THE DIGITAL METAMORPHOSIS OF JUDICIAL INSTRUMENTS

34. **Forensic Analysis of Automated Document Generation:** It is submitted that the impugned document identified as “Information Package 4810 998 24 48129169-00”, affixed post facto and no earlier than November 1, 2024, (with first appearance of the Applicant scheduled for November 13, 2024, pursuant to a Criminal Code Form 10 Undertaking which was begrudgingly prepared by the TPS on account of the Applicant demanding incessantly and admittedly, while incarcerated, with passion, and notably without any reference to Police Case ID: 457197 contained in the Criminal Code Form 10 Undertaking) exhibits catastrophic structural anomalies. A critical component of this forensic reality is the identification of *GrapeCity Documents for PDF* version 6.0.2.0 as the document producer—a software development kit (“the SDK”) rather than a standard end-user application. The presence of this metadata inextricably proves that the document was generated via an automated back-end script, thereby constituting an unauthorized procedural bypass of the *FRANK/ICON* case management systems.
35. **Integrated Analysis of the False Information Package (the “FIP”):** The table below delineates the profound factual errors, technical metadata failures, and procedural diversions characterizing the FIP:

Category	Specific Deficiency	Location	Legal Implication & Forensic Depth
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Case Indexing	Police Case ID: 457197	Page 3	The Barcode of Fraud: Valid ICON/CCO Case IDs are strictly 7 digits. This anomaly signifies an entirely fabricated or transposed file architecture. TPS Case ID and/or occurrence numbers contain the year with hyphen and eight digits. Ergo, the remaining portion of a non-particularized police force confirms, by deduction and exclusionary logic, that the RCMP was the originating police force (nota bene: RCMP refers to its policing units as “forces” whereas the TPS refers to themselves as “services” by way of divisions)
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THE TEMPORAL ANOMALY AND ALGORITHMIC SURVEILLANCE AUDIT TRAIL: PRIMA FACIE EVIDENCE OF PRE-EMPTIVE SURVEILLANCE

36. The documentary record reveals a glaring chronological discrepancy within the RCMP’s purported *Privacy Act* response dated April 27, 2026. Despite acknowledging receipt of the Applicant’s request on March 17, 2026, the matter was unilaterally assigned the federal file identifier P-2025-16999.
37. In the rigorous domain of federal records management, this prefix irrevocably denotes the year the file was initiated. This temporal anomaly establishes *prima facie* evidence that the RCMP had already commenced an active intelligence, surveillance, or audit file concerning the Applicant in 2025, operating in parallel with concurrent civil litigation, thereby completely demolishing the fiction that this was ever a localized municipal matter.
38. Furthermore, the generation of a specific maximum-threshold algorithm log in April 2026, inextricably paired with the query “Q PERS+ REM:000330500”, constitutes incontrovertible digital proof that federal actors were actively hunting, verifying, or manipulating the precise identity of the Applicant within a secured federal network.

THE RULE 317 MANDATE: EXTRACTION AND COMPULSORY PRODUCTION OF THE CERTIFIED TRIBUNAL RECORD

39. To secure the comprehensive adjudication of this Application, the transmission of the complete Certified Tribunal Record (the “CTR”) is mandated pursuant to Rule 317 of the *Federal Courts Rules*.
40. The evidentiary matrix necessitates the extraction and certification of three distinct tiers of Personal Information currently suppressed by the Respondents:

Data Type	Primary Source	Level of Effort	Forensic Value
Active Warrant Status	CPIC “Persons” File	Low (Routine Query)	Operational verification only.

Foundational Metadata (ORI, Terminal ID)	Transaction Logs (PPU 005)	Moderate (Requires Audit)	Identifies the true genesis of the digital record.
Amended/Purged Data (The “Frankendoc”)	Offline Historical Database	High (Specialized Extraction)	Exposes post-execution structural metamorphosis and unauthorized jurisdictional transfers.

41. The mandatory certification of these materials, circumventing the pervasive administrative deflections, is legally indispensable for exposing the unauthorized post-execution alterations regarding the identity of the authorizing judicial officer, the date, and the true jurisdictional origin of the warrant, thereby ensuring the Court is equipped to adjudicate the jurisdictional nullity *de novo*. The Applicant repeats and relies upon the exhaustive factual and legal grounds particularized within the Applicant’s standalone Written Request and Supporting Submission Pursuant to Rule 317 of the Federal Courts Rules, served upon the Respondents concurrently on May 18, 2026. The Applicant states that the explicit invocation of remedies in the nature of Prerogative Writs of Mandamus and Prohibition, conjoined with specific allegations of bad faith, institutional bias, and systemic conflict of interest involving Regional Commander Mr. Matt Peggs (Central Region), legally expands the mandatory disclosure test of the Certified Tribunal Record (the “CTR”) to encompass all 18 categories of raw historical metadata, transaction logs, application software library artifacts, and core charging instruments housed within Personal Information Bank (PIB RCMP PPU 005). Said PIB is not an exempt bank under any regulation under the *Privacy Act*.

ACTIONABLE NEGLECT OF STATUTORY DUTY, DOCTRINAL IMPERATIVES, AND INSTITUTIONAL MALFEASANCE

42. It is averred that the impugned conduct transcends mere administrative oversight, constituting an actionable neglect of duty, administrative malfeasance, and the deliberate spoliation of digital evidence orchestrated at the highest echelons of the Central Region Command, specifically implicating Regional Commander Mr. Matt Peggs.
43. The systemic, institutionalized suppression of publicly accessible judicial records fundamentally rebuts the presumption of *omnia praesumuntur rite et solemniter esse acta*, necessitating immediate judicial intervention to enforce the maxim *ubi jus ibi remedium*.
44. The foundational nullities embedded within the orchestrated process invoke the immutable doctrine of *quod ab initio non valet, in tractu temporis non convalescit*, permanently vitiating the Respondent’s purported jurisdictional authority. Furthermore, pursuant to the doctrine of *respondeat superior*, the Tribunal bears ultimate vicarious and institutional liability for the orchestrated obfuscation effectuated by its delegates and regional commanders. In light of the unlawful seizure and deprivation of property detailed herein, the equitable principle of *spoliatus debet ante*

omnia restitui dictates that immediate restitution and comprehensive disclosure are mandatory prerequisites to the restoration of the *status quo ante*.

THE EXCEPTION TO PLEADING EVIDENCE: PLEADING OF SIMILAR FACT EVIDENCE

45. It is acknowledged that the incorporation of evidentiary particulars within procedural pleadings is conventionally prohibited; notwithstanding said prohibition, an indispensable exception is effectuated when advancing similar fact evidence *in limine*. The extrapolation of overarching legal principles dictates that to establish a nexus of systemic malfeasance, the foundational factual substratum must be delineated with precision to demonstrate a continuing course of conduct. It might be asserted by opposing entities that such evidentiary inclusions contravene the *Rules of Civil Procedure* pertaining to the pleading of material facts exclusive of evidence. This presumption is comprehensively rebutted by the jurisprudential mandate articulated in *R. v. Handy, 2002 SCC 56* (the “*Handy Jurisprudence*”). In the *Handy Jurisprudence*, the Supreme Court of Canada elucidated the doctrine of similar fact evidence, establishing that where the probative value of antecedent conduct demonstrates a systemic pattern or characteristic methodology, such probative value substantially eclipses any purported prejudicial effect. Applied to the present circumstances, the pleading of systemic state-sponsored harassment is not merely permissible but legally mandatory to establish the requisite factual nexus of institutional malfeasance.

The Nullification of State Action and the Clandestine Extraction of Digital Memory

46. Whereas the aforementioned falsification of the documentation (the “**False Information Package**”) transcends rational comprehension, similar fact evidence is concurrently pleaded herein implicating the Royal Canadian Mounted Police (the “**RCMP**”) and specific former constabulary personnel affiliated therewith, notably Colin Cree and Laurie Windover, operating under the corporate auspices of EFS e-Forensic Services Inc. (the “**Forensic Corporation**”). It is submitted that the Forensic Corporation was retained to execute a forensic duplication of the primary storage apparatus utilized during the period of affiliation with the Law Society of British Columbia (the “**LSBC**”). Said entities were complicit in the clandestine and concealed extraction of the random access memory (the “**Random Access Memory**”), utilizing an invasive and malicious software application designated as “DumpIt”. Said application operated independently of the primary hard drive apparatus to execute a covert technological interception.

47. The potentiality of said clandestine extraction of the Random Access Memory was ascertained in the year 2021, prompting the invocation of statutory mechanisms pursuant to the *Freedom of Information and Protection of Privacy Act* directed toward the LSBC. Subsequent to said statutory demands, an extraction iteration was procured in hexadecimal format (the “**Hexadecimal Format**”), necessitating extraordinary technological investigation to

decipher. Consequently, compulsory demands for exculpatory documentation, explanations, and personal information (the “**Personal Information**”) were levied upon Mr. Cree and Mr. Windover. It is documented that Mr. Windover, manifesting profound indignation ostensibly resultant from the exposition of the malfeasance orchestrated by the LSBC and the Forensic Corporation, instituted technological barricades against the electronic correspondence address utilized for communications, specifically mclean@searchandseizure.ca (the “**Electronic Mail Address**”).

48. *Nota bene*: An analytical evaluation must address the classification of the utilization of the aforementioned malicious software. It is explicitly categorized not as a mere procedural irregularity, but as an absolute nullity *ab initio*, as it constituted a direct contravention of statutory privacy mandates and equitable principles. Pursuant to the legal maxims compiled in Herbert Broom’s *A Selection of Legal Maxims*, the principle of *Omnia praesumuntur contra spoliatorem* (every presumption is made against a wrongdoer) is inextricably engaged. The clandestine extraction constitutes an *ultra vires* assumption of investigative authority, rendering the derived *acta* entirely devoid of legal force.

Frivolous Prosecutorial Initiations and Post Facto Fabrications

49. Extrapolating further upon the systemic pattern of harassment, an antecedent fabrication of criminal culpability was orchestrated by the detachment of the RCMP, as the sole police force in North Vancouver by way of agreement between the province and the federal government, situated in North Vancouver, British Columbia, in the year 2017. The allegations promulgated therein were determined by the reviewing Crown Counsel to be so conspicuously frivolous, vexatious, and bereft of substantive merit that prosecutorial authorization was summarily declined *ipso facto*, thereby preserving the *status quo ante*.

Nullity of Seizure and Calculated Ruses of Incarceration for extended captivity, inability to advance legal matters, serious injury, premature death and/or death

50. It is further submitted that upon the realization by the RCMP that a substantively deficient and unlawful investigative maneuver had been executed, culminating in an unlawful lockout and property confiscation concerning the principal residence located at Unit 410-775 King Street West, City of Toronto, Province of Ontario, M5V 2K3 (the “**Principal Residence**”), a meticulously calculated ruse was engineered. The aforementioned lockout, being a direct contravention of overarching common law property rights and the *Residential Tenancies Act, 2006, S.O. 2006, c. 17* (the “*RTA*”), is asserted to constitute an indisputable and irremediable nullity. In this regard, the RCMP clearly waited until the unlawful lockouts occurred to denote the Applicant as “NFA”.

51. Following demands for the restitution of chattels purportedly retained within the Principal Residence, the RCMP systematically transferred the unlawfully confiscated property from the RCMP Toronto West Detachment situated in Milton, Ontario, to a Toronto Police Service (the “TPS”) division designated as “Toronto West”. It is advanced that this geographical relocation was a premeditated subterfuge designed to orchestrate a physical apprehension, effectuating an incarceration without the provision of bail.
52. The underlying objective of this apprehension was the deliberate neutralization of formidable *pro se* litigation capabilities, representing at minimum the third manifestation of such strategic deprivation. Initial representations articulated by personnel of the TPS 14th Division indicated an impending transportation to an alternative maximum-security detention facility, presumably the Millhaven Institution, which is jurisprudentially recognized for its severe custodial conditions. The orchestration was purportedly designed to maximize systemic disadvantage, exploiting the absence of a principal residence and familial support infrastructure within the jurisdictional boundaries of Toronto, Ontario.

GOVERNING STATUTORY AND REGULATORY FRAMEWORKS RELIED UPON

53. The Applicant repeats and relies upon the authorities contained within communications between himself and the RCMP vis-à-vis his access requests under the *Privacy Act* and ATIA, along with any other documents provided to it. The Applicant relies upon the statutory and regulatory frameworks meticulously outlined in the following legislation:

- a. *Privacy Act*, R.S.C., 1985, c. P-21;
- b. *Privacy Regulations*, SOR/83-508;
- c. *Exempt Personal Information Bank Order, No. 5 (ND)*, SOR/85-38;
- d. *Exempt Personal Information Bank Order, No. 13 (RCMP)*, SOR/90-149;
- e. *Exempt Personal Information Bank Order, No. 14 (CSIS)*, SOR/92-688;
- f. *Exempt Personal Information Bank Order, No. 25 (RCMP)*, SOR/93-272;
- g. *Access to Information Act*, R.S.C., 1985, c. A-1 (the “*ATIA*”)
- h. *Access to Information Regulations*, SOR/83-507;
- i. *Federal Courts Act*, R.S.C., 1985, c. F-7;
- j. *Federal Courts Rules*, SOR/98-106;
- k. *Canada Evidence Act*, R.S.C., 1985, c. C-5, Part 1;
- l. *Secure Electronic Signature Regulations*, SOR/2005-30, Part 1;
- m. *Royal Canadian Mounted Police Act*, R.S.C., 1985, c. R-10;
- n. *Royal Canadian Mounted Police Regulations, 2014*, SOR/2014-281;
- o. *Commissioner’s Standing Orders (Conduct)*, SOR/2014-291;
- p. *Commissioner’s Standing Orders (Classification Redress Process for Members)*, SOR/2001-248;
- q. *Commissioner’s Standing Orders (Employment Requirements)*, SOR/2014-292;
- r. *Commissioner’s Standing Orders (General Administration)*, SOR/2014-293;
- s. *Commissioner’s Standing Orders (Grievances and Appeals)*, SOR/2014-289;
- t. *Royal Canadian Mounted Police Public Complaints Commission Rules of Practice*, SOR/93-17;
- u. *Enhancing Royal Canadian Mounted Police Accountability Act*, S.C. 2013, c. 18;
- v. *Public Complaints and Review Commission Act*, S.C. 2024, c. 25;

- w. *Interpretation Act*, R.S.C., 1985, c. I-21;
- x. *Criminal Code*, R.S.C., 1985, c. C-46; and
- y. *Security Offences Act*, R.S.C., 1985, c. S-7.

This application will be supported by the following material:

54. The Affidavit^{vi} of Mr. Kevin A. McLean (BA, JD, CIM) or on his behalf, to be sworn, and the documentary exhibits attached thereto, including:
- a. Tab 1: The Applicant's statutory access request under the *Privacy Act*, dated February 27, 2026, and received by the Respondents on March 11, 2026, requesting the extraction of foundational metadata, raw hexadecimal dumps, and offline historical transaction logs from the CPIC database.
 - b. Tab 2: The Canada Post tracking and delivery confirmation certificate, verifying physical delivery and statutory service of the Applicant's *Privacy Act* request at the Respondents' Ottawa headquarters on March 11, 2026
 - c. Tab 3: Correspondence from mid-March 2026, containing the Applicant's detailed technical disclosure of relevant Toronto Police Service (TPS) Originating Agency Identifiers (ORIs), Case IDs, and a digital forensic metadata analysis identifying 43 structural anomalies tied to the GrapeCity PDF engine and the "CL (M)" software artifact
 - d. Tab 4: Administrative correspondence and records spanning March and April 2026, documenting the Respondents' unilateral 30-day time extension, the subsequent failure to search, and the formal dispute concerning the execution of superficial "live" terminal queries versus the requested offline database extractions
 - e. Tab 5: The purported statutory response from the RCMP ATIP branch, dated April 27, 2026, including the selective application of statutory exemptions to active 2025 data pools and the omission of 2024 historical transaction logs.
 - f. Tab 6: Electronic mail communications dated October 2, 2024, involving Constable Anthony Romano of the TPS (14 Division) regarding property retrieval, the Applicant's detention, and the processing of the underlying judicial authorizations.
 - g. Tab 7: The formal statutory complaint submitted by the Applicant to the Civilian Review and Complaints Commission for the RCMP (CRCC), concerning the administrative handling and tracking of records under the direction of Assistant Commissioner Matthew Peggs.
 - h. Tab 8: Unanswered written demands served upon Assistant Commissioner Matthew Peggs, seeking the production of authentic system metadata, verification of the "CL (M)" system artifact, and the return of property seized between September 20, 2024, and October 2, 2024.
 - i. Tab 9: The parallel statutory access request submitted by the Applicant under the *Access to Information Act* (ATIA) on May 5, 2026, targeting the National Technology Onboarding Program (NTOP) software procurement logs, enterprise licensing, and server-side deployment files for the MESCIUS / GrapeCity PDF software libraries.
 - j. Tab 10: Copies of the formal structural complaints submitted to the Office of the Privacy Commissioner of Canada (OPCC) regarding systemic data suppression, unauthorized search paths into Specialized Policing Services, and the ongoing refusal to search Personal Information Bank (PIB) RCMP PPU 005.
 - k. Tab 11: Documents and decision from LECA in Spring 2025;
 - l. Tab 12: Rule 317 of the *FCR* request of March 18, 2026;
 - m. Tab 13: documents involving the Similar Fact Evidence ("SFE") doctrine above;
 - n. Tab 14: Residual records: records, documents et al not captured by the above but relevant to the Application; and
 - o. Such further and other material as the Applicant may advise and this Honourable Court may permit.

55. The Applicant hereby requests that the Respondents send a certified copy of the material particularized in the Exhaustive Schedule of the standalone Written Request served upon the RCMP Tribunal on May 18, 2026, which is incorporated by reference herein:

SCHEDULE OF REQUESTED MATERIALS FOR PURPOSES OF A CERTIFIED TRIBUNAL RECORD

SCHEDULE OF REQUESTED MATERIALS

Item Number	Category of Material	Specific Records and Metadata Requested
1	Access Request Administrative Files	The complete internal administrative file, tracking sheets, and analyst worksheets concerning <i>Privacy Act</i> file P-2025-16999.
2	System Initialization Logs	The complete, unredacted system entry logs from the automated sequential registry system detailing the exact date, millisecond timestamp, and file initialization sequence that generated the prefix year “2025” for an access request delivered to the Respondent on March 11, 2026.
3	Executive and Inter-Directorate Communications	All electronic communications, emails, instant messages, memorandum chains, and briefing notes concerning the Applicant or file P-2025-16999 exchanged between Director Jeff Ball, Delegate Melissa Simpson, Director General Stéphane Brisson, Regional Commander Matt Peggs, or their authorized agents, and Chief of Staff Tanya Mirsky spanning April 1, 2026, to the present.
4	Internal Legal and Operational Advice	All legal or operational advice solicited or received internally regarding the Applicant’s statutory demand for access to the Canadian Police Information Centre (“CPIC”) Offline Historical Database metadata, including the Foundational Metadata Request and the Offline Historical Database Request.
5	Raw Mainframe Records	Forensic Ledger The raw, unredacted transaction logs, audit trails, and hexadecimal dumps residing within the secure CPIC Offline Historical Database associated with Personal Information Bank RCMP PPU 005 tied to the Applicant’s name, identifiers, or cross-referenced occurrence numbers (2024-2028093, 24-2082035, and Court File/Case ID 457197) spanning September 15, 2024, to December 31, 2024, inclusive.
6	Cryptographic Trails	Audit The complete cryptographic audit trails capturing all ADD, MODIFY, CLEAR, and CANCEL command strings, along with terminal identifiers, physical hardware addresses, Originating Agency Identifiers (“ORIs”), and unstructured narrative fields for each sequential transaction executed during the aforementioned temporal window.
7	Forensic Metadata of Search Methodology	The complete electronic system logs generated by Operator NBOISVERT on April 14, 2026, at 07:35:43, detailing the complete input syntax, query parameters, and system constraints utilized to execute the front-facing “Q PERS+” and “Q CNI” live database queries.
8	Internal Directives and Exclusion Policies	Any internal directives, policy documents, or operational notes instructing the Access to Information and Privacy (“ATIP”) Branch analysts to omit an interrogation of the Offline Historical Database in response to the Applicant’s explicit, specialized request for historical data.
9	Trans-Directorate Processing Records	The complete, unredacted administrative processing file, tracking timelines, and internal analyst notes concerning the concurrent <i>Access to Information Act</i> (“ATIA”) request submitted by the Applicant, explicitly targeting the procurement, enterprise licensing, and National Technology Onboarding Program (“NTOP”) integration logs of the Mescius SDK / GrapeCity.Documents.PDF.6.0.2.0 developer engines within the CPIC infrastructure.
10	Automated Linking Records	File All internal processing records showing any administrative coordination, automated file linking, or database cross-referencing executed between the privacy division handling <i>Privacy Act</i> request P-2025-16999 and the information access branch processing the parallel ATIA files.
11	Software Logs	Exception Any software error tracking logs, system exception reports, or developer audit alerts generated by the core CPIC mainframe database management system involving database inquiries or structural PDF modifications tied to the Applicant’s biographical identifiers or transaction history.
12	Executive Briefing Notes and Action Logs	Suite All briefing notes, corporate risk assessments, institutional action logs, and communications generated by or sent to Commissioner Michael Duheme and Director General Stéphane Brisson regarding the Applicant’s personal information or file P-2025-16999.
13	Central Command Communications	Region All emails, letters, instant messages, and administrative directives sent or received by Assistant Commissioner Matthew Peggs (Central Region Command) concerning Police Case ID: 457197, the “Adult Common Information Package,” or the collection and retention of the Applicant’s property from September 15, 2024, to the present.

14	Third-Party Transfer Ledgers	Data Ingestion	All cross-jurisdictional system logs showing the electronic receipt, intake vetting, and cryptographic mapping of data transferred from the Toronto Police Service (TPS) or Ontario Court of Justice (OCJ) to the RCMP <i>infrastructure</i> involving the Applicant's biographical profiles.
15	Primary Charging Instruments	Statutory	A certified copy of the Criminal Code Form 2 "Information" and/or Criminal Code Form 4 "Indictment" purportedly generated, indexed, or uploaded into federal tracking streams regarding the Applicant's underlying file.
16	Core Intake Endorsements	Courthouse	A certified copy of the Intake Court Endorsement represented on Page 3 of 5 within the disputed "False Information Package," capturing any handwriting, initials, or automated metadata strings applied during processing.
17	Originating Authorizations	Judicial	A certified copy of the alleged warrant in the first instance executed, tracked, or registered within the CPIC network in relation to the Applicant's identifiers.
18	Comprehensive Judicial and Executive Orders		Any and all ancillary orders, determinations, statutory authorizations, variances, or judicial directions issued by a Court of competent jurisdiction or a federal board concerning the collection, retrieval, manipulation, or preservation of the Applicant's personal information or physical property.

Date: May 18, 2026



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SOR/2004-283, ss. 35 and 38

ⁱ The RCMP did not conduct a search for records, as required by the Applicant's PII Access Request (March 11 2026), in the manner they executed in the Halton Police 2024 Case; The RCMP's representation that it conducted a search in CPIC and Specialized Policing Services is fundamentally flawed as the Applicant did not request a search "in" Specialized Policing Services; The RCMP did not rely upon ss. 16(2) of the *Privacy Act* as it did in the Halton Police Case, thereby defeating any implication of an ongoing investigation or the utilization of sensitive techniques, and the RCMP has waived that protection for the purposes of this judicial review herein; The RCMP represented in the Halton Police Case that, "The *Privacy Act* has established the right of applicants to access federally maintained records which contain personal information concerning themselves" whereas in the McLean v. RCMP proceeding, it stated, "The *Privacy Act* has established the right of applicants to access federally maintained records" WITHOUT reference to Personal Information, consistent with the

exemptions relied upon by the RCMP only referencing “information” and “Personal Information of the Applicant,” leading to a clear jurisdictional path for judicial review on issues outside of the scope of section 29 and 41 of the *Privacy Act*;

The RCMP in the McLean RCMP Proceeding utilized the language of “If this matter concerned another police department, they may have information of interest to you. The *Privacy Act* does not authorize the RCMP to search files or to disclose information belonging to other police forces” whereas in the Halton Police Case the language used by the RCMP was: “if you were involved with another police department or service, they may have information that concerns you. The *Privacy Act* does not authorize the RCMP to search files or to disclose information belonging to other police forces”. The factual inference is that the RCMP only referred to another “department” which be of itself and the RCMP does not have a legal justification under an Act of Parliament to refuse to search the Foundational Metadata and Offline Historical Database so requested by the Applicant including PPU 005, when a request is solely constrained to CPIC, because the RCMP Specialized Policing Services were involved, directly or indirectly;

- ⁱⁱ i. A further Declaration that the Respondents’ search of the Specialized Policing Services was arbitrary, devoid of an explicit request, and strictly unauthorized in relation to the PII Access Request (March 11 2026);
- ii. A further Declaration that the Respondents orchestrated a purported extension of time on March 17, 2026, so communicated to the Applicant, because after querying the Applicant’s initial identifiers the system did not trigger a police file tied to the TPS but rather triggered a hit tied to a program or database managed under the national SPS umbrella, housing elite federal units—such as Covert Operations, Cyber, and Regional Communications (implicating managers like Regional Commander Mr. Matt Peggs (see: “C” “L” and “(M”) in the False Information Package);
- iii. A further Declaration that the RCMP’s Specialized Policing Services is the precise department that owns, manages, and builds the RCMP’s centralized high-tech *infrastructure* including the software development kit of GrapeCity.Documents.PDF that was utilized to manipulate the authentic “Adult Common Information Package” after the inputs were already finalized and then provided to the undisclosed SCJ Judge in the “Ex Parte In Camera Hearing” on or around September 2024;
- iv. A further Declaration that the RCMP was inherently responsible for the structural manipulation of the “Adult Common Information Package”;
- ⁱⁱⁱ For absolute clarity, said Order includes Personal Information about him in relation to the type of Personal Information that one would be entitled to obtain post-arrest, including any and all Informations and Indictments, arrest warrants, and/or endorsements;
- ^{iv} The Applicant was not and is not requesting “investigative techniques” and “confidential sources,” but rather an audit trail of a definitively concluded “Intake Court Endorsement” and “judicial authorization”;
- ^v In accordance with the legal maxims compiled by Herbert Broom, specifically *fraus omnia corrumpit* (fraud vitiates everything) and *ex dolo malo non oritur actio* (no right of action arises from a deceitful wrong), the entirety of the acta executed under such pretenses is irremediably vitiated and rendered *coram non iudice*.
- ^{vi} And/or by way of Application Record by comprehensive Application and/or by way of singular or multiple affidavits