

ONTARIO COURT OF JUSTICE

BETWEEN

JOHN BRADLEY ATKINSON

APPLICANT

V.

HER MAJESTY THE QUEEN

RESPONDENT

FACTUM OF THE APPLICANT

IN SUPPORT OF AN MOTION FOR ADMISSION OF FRESH EVIDENCE

UNDER SECTION 683 (1) (a) (b)

BEFORE THE HONOURABLE JUSTICE E. E.MEIJERS

APPEARANCES:

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ABACAS - FRIEND OF THE COURT

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V.

JOHN BRADLEY ATKINSON

THE APPLICANT

I BRING THIS MOTION FOR THE NEW TRIAL FOR JOHN BRADLEY ATKINSON WITH THE SUPORT OF
FRESH EVIDENCE ON THIS DAY MAY 17, 2016
NEW EVIDENCE TO SUPORT A NEW TRIAL IS AS FOLLOWS

1. I AM ABLE TO TODAY PROVE THAT THIS WITNESS ; DEBORAH LYNN CAMPBELL HAS LIED TO THIS COURT
2. I CAN SAY WITH CERTAINTY THAT I CAN PROVE TODAY THAT IT IS IMPOSSIBLE TO TURN AN 11000.lb DUMP TRUCK AROUND AS HOW SHE STATED IN COURT TO THIS DAY, IT WAS NEVER OFFERED TO HOW , BOY I CAN WITH FRESH EVIDENCE PROVE TODAY THE WITNESS HAS MISLEAD THIS COURT
3. I AM 100%.ABLE TO PERSENT WITH THE FRESH EVIDENCE,PROVE JUST WHERE THE TRUCK WAS PARKED, AND THE DIRECTION THE DUMP TRUCK WAS FACING ,WAS FACING WEST
4. I CAN PROVE 100% THAT THE TRUCK WAS NOT TURNED AROUND AT ALL. WITH THE USE OF FRESH EVIDENCE TO BE SHOWN TODAY
5. I WILL SHOW THAT THE NEW EVIDENCE , WILL LEAD TO THE *Acquittal* OF THIS CONVICTION
6. I AM ALSO CALLING THE EXPERT WITNESS WHO GAVE EVIDENCE IN THIS TRIAL THAT I HAVE BEEN CONVICTED OF IN THIS CASE,EVIDENCE WILL SHOW THE CRIME NEVER TOOK PLACE ABOUT THE DUMP TRUCK
7. I WILL DEMONSTRATE THAT THIS TRUCK WAS SITTING WHERE I SAY IT WAS , I WILL BE ABLE TO PROVE BASED ON FRESH EVIDENCE
8. THE FRESH EVIDENCE WILL GIVE THIS COURT THE EVIDENCE IT NEEDS TO MOVE TO GRANTING A NEW TRIAL THAT BEING BASED ON THE FRESH EVIDENCE,NEW EVIDENCE
9. THE EXPERT WILL BE ABLE TO CONFIRM THE FRESH EVIDENCE OF WHAT IT IS, AND THAT IT IS INFACIT THAT OF WHAT I HAVE, AND DOES CALIBRATE TO THE EVIDENCE THAT I BRING TO THIS MOTION FOR A NEW TRIAL
10. THIS EVIDENCE WILL NOT BE BASED ON WHAT I SAY, OR WHAT YOU CAN SAY, OR WHAT THE WITNESS WAS CERTAIN ABOUT. THIS CASE WAS BASED ON CREDIBILITY, AND I WILL PROVE TODAY, THE TRUTH TO THIS DAY, IS THAT WE ARE WORKING WITH MATH,AND THE NUMBERS DON'T LIE,AND CREDIBILTY IN DEBORAH LYNN CAMPBELL TESTIMONY CANNOT BE RELIED ON
11. THE CROWN WAS MISLEADING TO THE EXPERT WITNESS; I INTEND TO PROVE THIS IS INFACIT MISLEADING AND THAT THE JUDGE ALSO AGREED TO THIS LINE OF QUESTIONING AND DISREGARDED THE FACTUAL EVIDENCE: EXAMPLE-DUMP TRUCK HAS 6 WHEELS ,NOT 4
12. EVIDENCE WILL BE INTRODUCED TO THE FACT THAT ON IMPACT ,THE DUMP TRUCK WOULD BE UNOPERABLE TO DRIVE; THE WITNESS STATED, THIS WAS NOT THE CASE AS THE WITNESS STATED IT WAS OPERATIONAL
13. THE OTHER EVIDENCE I HAVE WILL OFFER THE VIEW THAT WHERE THE DUMP TRUCK IS, AND THAT THIS IS THE PARKING PLACE FOR THIS DUMP TRUCK
14. IN LIGHT OF WHAT IS NEW TO ME, WAS NOT IN MY POSSESSION AND IS NOW. IV'E TAKEN THE TIME TO SEND THIS ALONG , NOT TRYING TO RE-TRY THIS CASE IN ANY WAY ,BUT IT NEEDS TO BE UNDERSTOOD IN LIGHT OF WHAT MAKES NEW EVIDENCE ,THESE NEW PHOTOGRAPH'S HAVE CLEARLY RAISED REASONABLE DOUBT AND IN THE FACTS SHOW THE DUMP TRUCK HAD ALWAYS BEEN FACING AS THE ACCUSED HAD ALWAYS STATED TO THIS DAY
15. I AM ABLE TO PROVE THE EVIDENCE OF THE WITNESS HAS BEEN ALTERED AND RAISES REASONABLE DOUBT
16. IN SUMMERY IN MY VIEW THIS CASE HAS NOT BEEN PROVED BY WAY OF WHAT THE WITNESSES HAD STATED BY EVENTS, THE TRANSCRIPTS HAVE BEEN OVERLOOKED, THAT GO AGAINST THIS WITNESSES CREDIBILITY,
17. TO LIE TO ONE JUDGE, AND BE OKAY TO LIE TO THE OTHER JUDGE, I FAIL TO SEE THE TRUTH IN THEM ANSWERS OF THE DAY, I FAIL TO SEE WHERE IT'S PERMITTED, TO COME TO COURT AND BE TRUSTED TO TELL THE TRUTH; WHEN BEING SUPPORTED BY THIS CROWN ON A PERSONAL THOUGHTS. I WOULD LIKE TO HERE ,WARD FOR WARD HOW THE DUMP TRUCK WAS TURNED- **180 DEGREES** AROUND , AND GET IT OVER TREES THAT ARE IN PERFECT FORM ,AT 4'TO 5'IN HIGH ; WHAT I CAN DO FOR THIS COURT IS TO PROVE TO THIS COURT THAT THIS WITNESS HAS CONSISTENTLY LIED TIME AND TIME AGAIN.
IN CLOSING, EVERY THING HAS NUMBERS TO THE WAY WE LIVE, THERE IS NO OTHER WAY , YOU BUILD , YOU DO THE MATH TO BE SURE THE SIZE, BE SURE IT FIT'S , THE SPEED YOU ARE GOING, THE MATH OF HOW LONG IT WILL TAKE YOU. WHEN YOPU LIE AND SAY THE FISH WAS 3'FEET, BUT YOU USE A RULER AND COUNT THE INCHES, AND THE RULER INDICATES THE FISH IS ONLY 2'FEET, ONCE YOU DO THE MATH, YOU CAN SAY YOU ARE LYING. THE FISH IS ONLY 24"

CASE LAW
SECTION A

MARTIN'S CRIMINAL CODE, 2014

S.603 P.1199

1. INSPECTION AND COPIES OF DOCUMENTS- An accused is entitled, after he has been ordered to stand trial or at trial,
(a) To inspect without charge the incitement, his own statement the evidence and the exhibits if any; and
(b) To receive, on payment of a reasonable fee determined in accordance with a tariff of fees fixed or approved by the attorney general of the province, a copy
(i) Of the evidence
(ii) Of his own statement, if any, and
(iii) Of the indictment;
the trial should not be, postponed to enable the accused to secure copies unless the court is satisfied that the failure of the accused to secure them before the trial is not attributable to lack of diligence on part of the accused R.S., C.C-34,531; 1974-75-76.c.93s 67; R.S.C. 1985.c 27 (1st Supp.), s.101 (2) (d)

MARTIN'S CRIMINAL CODE, 2014

S.604 P.1200

2. PRODUCTION OF WITNESS' STATEMENT-Subject to the discussed above under the heading "Disclosure generally", the crown must disclose any statement in its possession of the crown proposes to call all statement obtained from person who have provided relevant information to the authorities notwithstanding that they are not proposed as crown witness. Where statements are not in existence, other information such as notes should be, produced, and if there are no notes, then addition to the name, address and occupation of the witness, all information in the possession of the prosecution relating to any relevant evidence that the person could give should be, disclosed **R.V. Stinchcombe**, *supra*.

MARTIN'S CRIMINAL CODE, 2014

S.604 P.1211

3. DISCLOSURE GENERALLY- At least in the case of indictable offence, the crown is required to produce to the defence all relevant information whether or not the crown intends to introduce it into evidence and whether it is incriminatory or exculpatory. The crown does have a discretion to withhold information and as to the timing of the disclosure where necessary to protect the identity of an informer or a continuing investigation. A Discretion must also be, exercised with respect to relevance of information. The exercise of this discretion is reviewable by the trial judge who will be, guided by the general principle that ought not to be, withheld if there is a reasonable possibility that the withholding of information will impair the right of the accused to make full answer and defence, unless the non-disclosure is justified by the law of privilege. Initial disclosure should occur before the accused is called, upon to elect the mode of trial or to plead. The obligation to disclose will be, triggered by request by or on behalf of the accused. In the case of an unrepresented accused, the judge should not take a plea unless satisfied that the accused has been informed of his right to disclosure: **R.V. Stinchcombe**, [1991] 3. S.C.R.326, 68 C.C.C. (3d) 1,9C.R (4th) 277(7:0)

S.650 P.1256

4. REOPENING THE CASE- The test to permit the defence to re-open the case varies according to the stage of proceedings reached

Where the application is made, where the application is made a finding of guilt has been entered, the test is more rigorous .in addition to the criteria set out in R.V. Palmer, [1980] 1 S.C.R. 759,

Dealing with admissibility of fresh evidence the trial judge must consider whether the application to re-open is in reality an attempt to reverse a tactical decision made at trial:

R.v. Arabia (2008), 235C.C.C. (3d) 354 (Ont)

5. THE DECISION OF A TRIAL JUDGE TO ALLOW THE CROWN TO RE-OPEN IT'S CASE IS DISCRETIONARY-And will generally be accorded great deference.

It must be, exercised judicially and in the interest of justice.

the discretion is broadest during the first phase where the crown has not yet closed its case but the defence has not yet elected whether or not to call evidence, the discretion is more limited in the *third* phase, where the defence already began to answer the crown's case the discretion of the trial judge is extremely narrow. The emphasis during the last phase is the protection of the accused's interests.

There are limited circumstances where the crown will be entitled to re - open its case

Even during this phase;

For example, the conduct of the defence directly or indirectly contributes to the crown's failing to lead the particular evidence before the close of its case

When the crown has made an omission or mistake on a non – controversial issue that purely formal or technical and had nothing to do with substance of the case.

Re-opening during the third phase of the trial should only, be permitted in those very exceptional cases that are closely analogous to these two examples

At the third stage of the trial, the opportunity to re-call the crown witness and to re-open the case for the defence can never completely cure the resulting harm to the defence the accused is almost inevitably prejudiced where the re-opening will require the accused to take the stand for a second time and undergo further cross-examination. The court should not speculate as to whether the defence would have changed if the evidence had been adduced in the proper order. If the trial judge refuses, the crown's application to re - open,

The Crown may either elect to proceed without the witness or may enter a stay of proceedings and recommence the trial within the requisite, time period under **s.579** of the criminal code .if the Crown elects to recommence the trial. It will be for the judge presiding at a new trial to determine whether this procedure has created an abuse of process of such unfairness that the right of the accused has been violated: R.V. (S.G.) [1997] 2.S.C.R.716.116C.C.C.C. (3d.). 193

S.650

6. A JUDGE SITTING WITHOUT A JURY, IS NOT FUNCTUS OFFICIO, FOLLOWING A FINDING OF GUILT UNTIL HE HAS IMPOSED SENTENCE-or

otherwise finally disposed of the case. Accordingly, he may in his discretion, following a finding of guilt, vacate that finding ,re-open the case ,and permitted accused to tender further evidence .however this power should be exercised only in exceptional circumstances and where its exercise is clearly called for .it should be noted, however that a judge has no power to reopen a case following an acquittal since the proceeding has been terminated by such a verdict. Further, when sitting with a jury, under no circumstances has a judge power to set aside the jury's verdict:

R.v. Lassard. (1976) 30 C.C.C. (2d). 70.33C.R.N.S.16 (Ont. C.A)

S.650 P.1257

7. DECLOSURE TO DEFENCE - Where the crown disputes the existence of material, which the defence alleges is relevant. The defence must establish a basis, which could enable the presiding judge to conclude that there is in existence further material, which is potentially relevant. Relevance in this context means that there is a reasonable possibility of being useful to the accused in making full answer and defence. The existence of the disputed material must be, sufficiently identified to reveal its nature and enable the judge to determine that it may meet the test for requiring disclosure as set out in **R.V. Stinchcombe**, *supra*.

In most cases, this preliminary issue can be determined on the basis of submissions .if the defence meets this preliminary test then the crown must justify a continuing refusal to disclose and is entitle to call relevant evidence on the issue: **R.v.Chaplin**, [1995] 1 S.C.R. 727,96 C.C.C. (3d) 225.

8. THERE IS NO ABSOLUTE RIGHT TO HAVE ORIGINALS OF DOCUMENTS OR TAPES RECORDINGS PRODUCED- If the crown has the originals, it should either produce them or allow them to be inspected .If, however, the originals, are not available and if they have been in the crown's possession then it should explain their absence.

If the explanation is satisfactory, the crown has discharged its obligations unless the conduct, which resulted in the absence of the original, is itself such that it may warrant a remedy under the Charter: **R.v. Stinchcombe** [1995] 1 S.C.R.754, 96C.C.C. (3d) 318.

9. THE CROWN'S DUTY TO DISCLOSE IS TRIGGERED-Whenever there is a reasonable possibility of the information being useful in making full answer and defence. The Crown's duty to disclose gives rise to a corresponding constructional right to the disclosure of all material, which meets the threshold for disclosure.

The right to disclosure, is violated, where the accused demonstrates a reasonable possibility that the undisclosed information could have been used in meeting the case for the crown, Advancing a defence or otherwise making a decision which could have affected the conduct of the defence

Although the right to disclosure may be violated,

The right to make full answer and defence may not be impaired as a result, of that violation.

Different principles and standards apply in determining whether disclosure, should be made before conviction

And in determining the effect of a failure to disclose after conviction.

When non-disclosure is raised, on appeal from conviction, the accused must, as a threshold matter, establish a violation of the right to disclose and must demonstrate on a balance of probabilities that the right to make full answer and defence was impaired as a result, of a failure to disclose. Where a stay of proceedings is, sought, the accused must establish on the balance of probabilities that the right to make full answer and defence is irreparably prejudiced. Where the remedy sought is a new trial, that burden is discharged

Where an accused demonstrates there is a reasonable possibility that the non-disclosure affected the outcome at trial or the overall fairness of the trial process. The reasonable possibility must be based on reasonable possible uses of the non-disclosed evidence or reasonably possible avenue of investigation that were closed to the accused as result of the non-disclosure.

In order to determine whether the right to make full answer and defence was impaired, a two-step analysis must be undertaken.

First, in order to assess the reliability of the conviction, the undisclosed information must be examined to determine the impact it might have had on the decision to convict. A new trial should be ordered if the appellate court is satisfied that there is reasonable possibility that, on its facts, the undisclosed information affects the reliability of the conviction. Even if the undisclosed information does not itself affect the reliability of the conviction, the effect of the nondisclosure on the overall fairness of the trial process must be considered at the second stage of the analysis by assessing, on the basis of reasonable possibility, that the line of inquiry with Witnesses or the opportunity to garner additional evidence that could have been available to the defence if the relevant information had been disclosed. Defence counsel's diligence in pursuing disclosure from the Crown must be taken into account in considering the overall fairness of the trial process. The lack of due diligence is a significant factor in determining whether the Crown's non-disclosure affected the fairness of the trial process. The fairness of the trial process will not affect where defence counsel knew or ought to have known on the basis of other disclosures that though inadvertence the Crown had failed to disclose information, yet reminded passive as a result of a Tactical decision or lack of due diligence
R. v. Dixon, [1998] 1 S.C.R.224, 122 C.C.C. (3d) 1.

MARTIN'S CRIMINAL CODE, 2014

S.650 P.1258

10. APPLYING THE DIXON TEST- the issue is not whether the undisclosed evidence *would* have made a difference, but rather whether it *could* have made a difference. The appellate court must determine whether there is reasonable possibility that the additional evidence could have created a reasonable doubt in the jury's mind. This must be assessed having regard to the evidence in its entirety. With respect to the second prong of *Dixon* test, the appellant need only establish a reasonable possibility that the overall fairness of the trial process was impaired. This burden can be discharged by showing that the undisclosed evidence could have been used to impeach the credibility of a prosecution witness, could have assisted the defence in its pre-trial investigation and preparation or in its tactical decision at trial:
R. v. ILLes, [2008] 3 S.C.R. 134,236 C.C.C. (3d)

MARTIN'S CRIMINAL CODE, 2014

S.650 P.1259

11. Counsel for the accused is required to bring any lack of disclosure to the attention of the trial judge at the earliest opportunity. At least in the case of a trial by judge alone this includes a lack of disclosure that comes to counsel's attention after conviction and before sentence. During this period, the trial judge is still seized of trial and would have the discretion to reopen the trial proceedings or to order a mistrial'
R. v. Mc. Anespie, [1993] 4 S.C.R. 501, 86 C.C.C. (3d) 191n.

MARTIN'S CRIMINAL CODE, 2014

12. THE PRINCIPLES OF FUNDAMENTAL JUSTICE AS GUARANTEED BY THE CHARTER - reflect and accommodate the nature of the common law doctrine of abuse of process relating to disclosure by crown normally fall within ss.7 and 11(d) OF THE Charter. Therefore, a challenge based on non-disclosure will generally require a showing of actual prejudice to the ability to make full answer and defence. The accused must establish that the impugned non-disclosure has no balance of probabilities, prejudiced or had an adverse effect on the accused's ability to make full answer and defence. Such a determination requires a reasonable inquiry into the materiality to non-disclosure information. The property of the Crown's conduct or intention is not necessarily relevant to whether or not the accused's right to a fair trial has been; infringed once a violation is, made out the remedy will typically be disclosure order and an adjournment. There may be some extreme cases however, where the prejudice to the accused's ability to make full answer and defence or to the integrity of the justice system is irreparable.

In those clearest of cases, a stay of proceedings will be appropriate. Other remedies would include permitting the defence to recall certain witnesses for examination or cross-examination, adjournment to permit the defence to subpoena additional witnesses or even, in extreme cases, declaring a mistrial. When considering the appropriate remedy, the court should consider whether the crown's breach of its obligation has also violated

Fundamental principles underlying the community's sense of decency and fair play, and thereby caused prejudiced to the integrity of the judicial system. For these purposes, among the most relevant considerations are the conduct and intention of the Crown however, a demonstration of *mala fides* on part of the crown is not necessary re-condition to finding of flagrant and intentional Crown misconduct which might lead to a stay of proceedings: **R. v. O'Connor**, [1995] 4 S.C.R. 411.103 C.C.C. (3d) 1 (5:3).

MARTIN'S CRIMINAL CODE, 2014

13. R. v. 974649 Ontario Lnc. [2001] 3 S.C.R. 575, 159 C.C.C. (3d) 321., the Court held that a provincial offences court was a court of competent jurisdiction within the meaning of s. 24(1) of the Canadian Charter of rights and Freedom with three power to award cost for breach of the defendant's right to disclosure. The reasoning in that case would apply to a trial court acting under the Criminal Code.

Records relating to finding of serious misconduct by police officers involved in the investigation against the accused are first party disclosed. The Crown does not encompass all state authorities and, accordingly, the *Stinchcombe* disclosure regime extends to material relating to the accused's case in possession or control of the prosecuting Crown entity. There is a corollary duty on police to disclose all Material to the investigation of an accused to the prosecuting Crown entity

There is a corollary duty on the police to disclose all material pertaining to the investigation of an accused to the prosecuting crown. Production of disciplinary records and criminal investigation files in the possession of the police that do not fall within the scope of first party disclosure are, governed by the *R. V. O'Connor* regime for third party production. The *O'Connor* likely relevance threshold differs significantly from the statutory likely relevance threshold set out in **s.278.3** of the *criminal code*. Under the *O'Connor* means a regime, likely relevant reasonable possibility that the information is logically probative to an issue at trial or the competence of a witness to testify. An issue at trial includes not only material issue concerning the unfolding of events but also evidence relating to credibility of witnesses and reliability of other evidence in the case. Once the court has ascertained that the record is truly relevant, the third party record are in the same category for Disclosure purposes as the fruits of the investigation. While privacy interest may require redactions of the disclosure, it is unlikely that, in the context of investigative file or disciplinary records, third party privacy interest can defeat an application for production:

R. v. McNeil, [2009]1 S.C.R.66, 238(3d) 353.

MARTIN'S CRIMINAL CODE, 2014

S.650.01 P.1261

14. INTERVENTION BY TRIAL JUDGE-WHILE EXAMINATION AND CROSS-EXAMINATION

-of Witnesses are primarily the responsibility of counsel, the judge is not required to remain silent and may question witnesses to clear up ambiguities, explore some matter which the answer of a witness have left vague and he may put questions which should have been put to bring out some relevant matter, but which have been omitted. Generally, speaking the question by the judge should, be put after counsel has completed his examination, and the witnesses should not be cross-examined by the judge during their examination-in-chief. The judge also has a duty to intervene to clear the innocent. He has the duty to ensure that the accused is, afforded the right to make full answer and defence, but he has the right and the duty to prevent the trial from being, unnecessarily protracted by questions directed to irrelevant matters. This power must however be exercised with caution so, as to leave unfettered the right of the accused to subject any witness' testimony to the test of cross-examination. The judge must not

improperly curtail cross-examination that is relevant to the issue of the credibility of witnesses, but he has the power to protect a witness from harassment by question that are repetitious or are irrelevant:

R.v. Valley (1986).26C.C.C. (3d) 207 (Ont.CA)

15. The judge may not question the accused or his witness to such an extent or in such a manner that conveys the impression of placing his authority on the side of the prosecution or the impression of disbelief of the defence evidence:

R. v. Brouillard, [1985]1S.C.R.39, 17C.C.C. (3d) 193

MARTIN'S CRIMINAL CODE, 2014

S.655 p.1270

EVIDENCE ON TRIAL

16. NECESSITY OF VOIR DIRE TO DETERMINE VOLUNTARINESS OF CONFESSION – it was, held in **R.v. Powell**, [1977]1S.C.R.362, 28 C.C.C (2d) 148 (9:0),

The court held that a ***Voir dire*** as to the admissibility of a confession is required even on a trial judge

Alone, **R.v. Erven**, [1979]1S.C.R.926, 44C.C.C. (2d) 76(6:3), Dickson J. for plurality held that there is no exception from the rule requiring the holding of a ***Voir dire*** on the bases that the statement is” obviously volunteered” to the person in authority.

Where the defence has not requested a ***Voir dire*** and a statement is, admitted into evidence that the judge will only have committed reversible error if clear evidence existed in the record that objectively should have alerted the judge to need for a ***Voir dire*** notwithstanding counsel’s silence. Where the evidence is, demonstrated that the receiver of the statement was closely connected to the authorities, this should alert the judge to the need to hold a ***Voir dire***.

17. TO DEMONSTRATE THE NEED FOR A Voir Dire

To demonstrate the need for a ***Voir dire***, the evidence must show that the receiver of the statement was closely associated to the authorities

Prior to obtaining the statement and there was, as well, a close connection in time between the contact with the authorities and its receipt. The evidence must suggest that the receiver was acting in concert with the police or prosecutorial, or as their agent, or as part of their team: **R.v. Hodgson**, [1998]2S.C.R.449, 127C.C.C. (3d) 449, sub *nom*.

R.v.H.(M.C);R.v.Wells,[1998]2S.C.R.517,127C.C.C.(3d)500;**R.v.T.(S.G.)**,[2010]1 S.C.R.688.255C.C.C.

MARTIN'S CRIMINAL CODE, 2014

S.676 p.1366

18. QUISTION OF LAW / GENERALLY- Even though the reason for acquittal were couched in terms of reasonable doubt, where the trial judge sitting alone has misdirected himself as to the legal effect of facts found by him ,an appeal on a question of law is open to the crown: **R.v. Davis** and

R. v. Sokoloski (1973), 14 C.C.C. (2d) 517 (Ont. C.A.), affd [1977] 2 S.C.R.523,33 C.C.C. (2d) 496 (5:4)

An error of law by a trial judge in assessing the facts as they apply to the law so as to found a crown appeal may arise in three ways:

(1) The trial judge finds all the facts necessary to reach a conclusion in law but the court of appeal disagrees with the conclusion reached the disagreement being with respect to the law not the facts nor the inference to be drawn from the facts;

(2) Failure by the trial judge to appreciate the evidence, provided that failure is based on a misapprehension of some legal principle;

(3)Where the reason of the trial judge demonstrate a failure to consider all of the evidence in relation to the ultimate issue[however, the mere failure by the judge to record the facts of having taken into account all the evidence is not proper basis for concluding that there was an error of law in this last respect]:

R.V. Morin, [1992]3S.C.R. 286 76 C.C.C. (3d) 193(8:0).

MARTIN'S CRIMINAL CODE, 2014

S.683.P.1382

19. Admission of evidence to complete the record

In order to obtain the remedy of an examination of a witness during the appeal process, the applicant must satisfy the court that there is at least a reasonable possibility that the proposed examination will produce meaningful evidence to assist the court in fulfilling its role **R.v. Hobbs**.

MARTIN'S CRIMINAL CODE, 2014

S.683 .P-1383

20-a. Test for admission of fresh evidence

In **R.V. Palmer and Palmer**, [1980] 1 S.C.R.759, 50C.C.C. (2d) 193(9:0), The court reviewed the principles upon which fresh evidence should be admitted as follows:

- (1) The evidence should generally be admitted if by due diligence, it could have been adduced at trial, although this principle is not applied with the same strictness in a criminal trial as in a civil trial:
- (2) The evidence must be relevant in that it bears upon a decisive or potentially decisive issue (3)the evidence must be credible :and
- (4) It must be such if believed, it could have affected the result. in that case the accused's appeal was dismissed the court holding that court of appeal did not err in rejecting the fresh evidence ,which concerned the dealings with the chief crown witness with the crown and the police, on the basis that it was not credible. Also see: **R.v. Mc Anespie** [1993] 4 S.C.R. 501C.C.C. (3d) 191n.

21-b. Due diligence is not an essential requirement of fresh evidence test and its importance varies from case to case. The due diligence criterion must yield where a miscarriage, of justice would otherwise Result. In determining whether due diligence has been met, the reason that the evidence was not available at trial must be determined: **R.v.B. (G.D.)**, [2000] 1 S.C.R. 520, 143 C.C.C. (3d) 289

22-c. Due diligence is only one factor in determining the admissibility of fresh evidence and its absence ,particularly in criminal cases ,should be assessed in light of other circumstances . If failure to meet the test should yield to permit its admission, While the failure to meet due diligence requirements is serious and in many circumstances would be fatal as held in **R.V.C. (R.)**(1989), 47 C.C.C. (3d) 84 (Ont. C.A.), that failure should not override accomplishing a just result, The court of appeal also has a discretion to permit fresh evidence in respect of a defence of not criminally responsible that was not raised at trial: **R.v. Warsing**, [1998] 3 S.C.R.579, 130 C.C.C. (3d) 259.

23. Even where the proffered evidence clearly could have been, adduced at trial, due diligence should not trump other criteria, particularly in circumstances where trial counsel's strategy was not, unreasonable given the nature of the anticipated crown evidence. Here, neither the crown nor the defence had contemplated calling expert evidence about the nature of the injury in question , and the trial judge relied on lay opinion later shown by expert fresh evidence to have been erroneous .admission was therefore justified :**R.v.A. (J.)**,[2011]1 S.C.R. 628 C.C.C. (3d) 135.

24. The fact that the evidence, which neither confirms nor corroborates the testimony of the accused does not mean that it could not have had impact on the verdict and thus be capable of constituting fresh evidence: **R.v. D" Amours**, [1990] 1 C.R.115.

25. When deciding whether to exercise the broad discretion under this section, the overriding Consideration is the interest of justice this discretion should be exercised to permit the adducing of Evidence of the fact that, following the trial, the accused was, acquitted of a charge, which had formed the basis of similar act evidence at the earlier trial the acquittal, was the equivalent of finding innocent And there would be a clear miscarriage of justice if allegations:

R.v. G. (K.R.) (1991), 68C.C.C. (2ND) 268 (ONT.CA)

S.683

26. The motion to produce fresh evidence that will give sufficient probative Force, if accepted by the Trier of facts, to affect the verdict and direct a new trial

27. Procedure for admission of fresh evidence – on an application to adduce fresh evidence the motion should be heard and if not dismissed, then judgment reserved and the appeal heard. the court can then consider the question of fresh evidence in light of the background of the case and of other evidence and then dismiss the application; admit the evidence as conclusive of the issues and dispose of the matter immediately; or admit evidence that may have sufficient probative force, if accepted by the Trier of facts, to affect the verdict and direct a new trial:

R. v. Stolar, [1988] 1 S.C.R.480, 40 C.C.C (3d) 1, 62 C.R. (3d) 313 (5:0)

28. The fact that the evidence which is tendered neither confirms nor corroborates the testimony of the accused does not mean that it could not of had an impact on the verdict and thus be capable of constituting fresh evidence :

R. v. D, Amours, [1990] S.C.R. 115 107, N.R. 237

29. Test for admission of fresh evidence – if the fresh evidence is, considered to be of sufficient strength that it might reasonably affect the verdict of the jury it should not be, excluded on the grounds of an earlier failure to exercise reasonable diligence to present it at trial:

R. v. Mc Martin, [1964] S.C.R. 484, [1965] 1 C.C.C. 142, 43, C.R. 403 (9:0)

SECTION B

37. A LEGAL LETTER FROM DAWN QUELCH TO CROWN FRANK FAVERI

Dawn Quelch

From: Dawn Quelch [dawn.quelch@ecclaw.net]
Sent: Wednesday, January 23, 2013 11:47 AM
To: 'frank.faveri@ontario.ca'
Subject: Atkinson Disclosure request

Dear Mr. Faveri,

As discussed at the JPT in January, I have identified several pieces of information that the defence will require. Can you please advise if any of the following materials are in the possession of the police or crown and whether they can/will be disclosed.

2001 Sierra

- Copy of the bill of sale of the 2000 Blue Sierra GMC x-cab 4wd truck (was in glove box at time of Atkinson's arrest)
- Pictures of the truck stuck on the rocks at Deborah's home. At the preliminary hearing she states that she has such pictures saved on her computer and she offers to email them to the Crown on the transcript.
- Contact information for the tow truck driver witness from the January 2008 incident
- Officer notes and any diagrams made by officer of the location of the truck stuck on the rocks. This would have been during an investigation into the stolen Ranchero in early 2008
- RMS (occurrence) reports for John Atkinson/Deborah Campbell/1905 Cty Road 50 between January 2008-March 29, 2008 with names of responding officers
- MTO records of vehicle transfers and plate purchases on vehicles registered to John Atkinson and/or Atkinson Roofing; particularly the GMC Z71 truck with plate 9VW 140 (may actually be 1409 VW) and plate 770 ITL.
- MTO record of reason given by Deborah Campbell at time of issuance of new plates on August 6, 2010
- MTO registration/statutory affidavit sworn by Deborah Campbell showing the "gift" transfer from Atkinson to Campbell of Corolla (plate BDSK 467)
- I need a legible copy of each of the suspension notices issued to John Atkinson, the ones in the disclosure package are unreadable.
- I need a legible copy of the notes of D/C Conway relating to RM10108990 – the notes of August 6, 7-8, 9, 10, 11, 20, 24, 25, 26 of 2010 are illegible *27 missing*
- Copy of notice sent from the Crown to the CPIC record holder that the entry on Mr. Atkinson's record for a Dangerous Driving (August 8, 2007) should be Drive Disqualified under s. 259(4)(a) not s. 249(1)(a).
- Phone records for Deborah Campbell's cellphone and home phone and John Atkinson's cell phone (all cellphones are Virgin Mobile) for the month of August 2010 and between July 3-8, 2007.

August 10 2010 *Best account John's Virgin*
Thank you for agreeing to look into these issues. *photos missing 43. damage to truck*
If you need me to be more specific or don't understand one of my requests please let me know.

Dawn
Dawn Quelch
Ecclestone & Ecclestone LLP
Barristers, Solicitors & Notaries Public
1480 Bath Road, Suite 100
Kingston ON Canada K7M 4X6

Telephone (613) 384-0735
Fax (613) 384-0731
Email: dawn.quelch@ecclaw.net
Web: <http://www.ecclaw.net>

SECTION C

38. REASON FOR JUDGEMENT - THE HONOURABLE JUSTICE E MEIJERS Mr. Atkinson's His views

“Reasonable doubt and lack thereof, of truthfulness, and common sense, seems in this case, has no boundaries “

Changing of the story where the dump truck was parked has taken on a new threshold when such are beyond belief such as this example this was the part of getting the dump truck off the rocks... We manipulated Deborah Campbell and the 80 something year old Dad , to get it off the rocks, to turn it 180 – degree and had managed to clear the front of the dump truck over trees of 4 to 5 Feet high Judge and Crown believe this witness; why not just jack up the dump truck up and drive the truck out. Or this ...the running board ,why not just set it in the driveway that would only be 2` feet away but she would be believed by this court , that it made more sense to carry it to the side, being the side the truck was parked and that would make sense

Ms. Campbell made up this lie only to change her stories throughout that day on cross-examination and this seemed that Judge nor Crown minded

Her pattern of constant lying I am able to state some of what I call a flow of lies

There is something more sinister going on here and it is readable on every page I am well aware of the crown lying to passed judges and another time I did report on that injustice

Brought on by this crown, and other Dirty Deeds and then there is also this cases evidence what became abundantly clear Franklin Faveri - Crown, and Alliston O.P.P. had no interest in truth the lawyers in the case were not much different when it came to defend I the client with all the injustice .

It is I as an innocent Man to continue to shine light on the travesty of a planned injustice

To this day, there is no evidence to the crowns case, and the evidence they did use, proves the crime could never of taken place they were all enablers to falsely convict and imprison I also challenge any other person any time on any count as charged

Reason for Judgement March 2nd 2015

39. I AM NOT GOING TO RE COUNT ALL THE EVIDENCE PIECE-BY-PIECE

Pg.14, para 10

In assessing the credibility of the accused and all of the witnesses in this matter, I am considering all of the evidence called.

I'm not going to recount all of the evidence piece by piece but have considered all the testimony and submission before me

Pg.14, para 16

During the course of the trial, there was been a great deal of evidence and particularly in cross-examination evidence that in my view is on the periphery of relevance to the main issue before the court.

Pg.14, para 21

I'm attempting to focus on the more relevant or the most relevant evidence which is in my view, relatively clear and straight forward.

Pg.14, para 24

Dealing with the credibility of Mr. Atkinson; to put it simply, I do not believe him and his evidence and does not raise a reasonable doubt in my mind so.

40. THE WARMING UP OF PICK UP TRUCK

Pg.15. para1-4

The judge says this: His explanation for the pick-up truck being on the road and getting and getting the dump truck stuck on the rocks was patently absurd, it makes no sense to call a friend to pick you up and then have that friend use your vehicle; which is cold.

I TESTIFIED THAT I WAS IN THE GARAGE AND THE TRUCK WAS WARMING UP

So why would the judge say something **NO ONE STATED**. So on December 8th 2014 at Bradford courthouse that is what I said and it is a stark difference, to what the judge would have believed and he is just simply not being truthful

***P41. Page 13- para 9 John Atkinson – in-Ch. Counsel: Kimberly Hyslop**

So at the time I had already walked to the house ,went in through the other end, in the front of the house, which would still be part of the basement, and I came up through the garage door steps, they lead into the garage from inside the house, and I was just standing there, and I was thinking about what I wanted to do what was going on ,and trying to plan. Should we all just come back to the house, or should we stay at the restaurant

Then when Deb is a little better, she can come down.

So I'd gone over to the truck and I decided,

you know what ,I got my cell phone charger ,and when I was walking back to the garage, I decided ,you know I'm just going to have Jason come ,we'll take my truck.

So I warmed up the truck. The truck was warming up.

Page: 104. Para.13

Trial Transcript December 8th 2014

Crown: Faveri

Q. so car is all nice and warm, right, when he arrives, one would assume, wouldn't one?

A. **my truck is nice and warm, too it's been sitting in the drive way warming up**

***42. Page 15 para. 11-16**

Reason for Judgement

"I QUOTE"

The judge goes on to state that: Nor does it make any sense to go to the Birthday and leave Carl behind.

But when it's said by D. Campbell, it does make sense.

But the truth is I did just that.

And in evidence that is what I did say.

***Page 15 para. 24**

Reason for Judgment

On the same

It makes no sense to back the truck up the driveway blindly in a dump truck.

[And I definitely agree] so why, when Ms. Campbell. After picking 3 different places for the truck to of been parked before getting the truck stuck so on

My evidence is that Deb was the one who guided me as soon as I came to a stop, and had only backed up the length of the truck

43. Page 72 para. 6

January 7, 2014 at Barrie Ontario Courthouse

I quote what she says

Q. Okay so your recollection is then he then reverses back onto the driveway.

A. **yes**

Q. And instead of reversing and going towards the road, he reverses and goes towards the house.

A. he reverses – I thought he was going to go out to the road by just backing up out on to in, he backs

Up well, and

He didn't – he – put it in drive and started forward he was driving up the driveway.

On the same page line 21

Well then he first started backing up the truck I thought that he was going to back out on to the Road....

SECTION C

4. *so to me here is what is not thought out on the crowns:*

It is dark out, the frost covered over the windows; I rubbed with my hand a small spot to see through, and then go forward and to park in front of the green disposal garbage bin.

Here is something so unbelievable, and we have photos to show how nuts she is to suggest that, To back out onto a highway # **50** we are at a hill, of a stopping distance of 50' feet at 80 Km. but we know they drive 100km, a lot faster, and another thing, you could simply back up on to the other side of the driveway, you would not have to **BACK OUT ON TO A HIGHWAY**. I mean really, her answers are as good as when she says she jacked up the 11000 pd Dump truck, just putting it into wards is hard but turned it **180. Degree**,

AND HOW DID SHE GET IT OVER THE TREES? When she simply could have jacked up the truck, and placed wood under the tires, but that also left many problems as where are the front tire tracks, Counsel Kimberly Hyslop put it to her and D. Campbell's answer where to leave a person dumbfounded.

SECTION D
-A-

DIMENSIONAL DATA F-350/ F-SUPER DUTY CHASSIS CAB — 4x2/4x4

CODE	DESCRIPTION	SRW	SRW	DRW	DRW	DRW	DRW	F-SUPER DUTY (DRW)	
		4x2	4x4	4x2	4x2	4x4	4x4	4x2	
L101	WHEELBASE	133.00	133.00	136.80	160.80	136.80	160.80	136.80	160.80
L103	OVERALL LENGTH	203.98	203.98	205.81	229.81	205.81	229.81	205.81	229.81
L104	FRONT OVERHANG	30.51	30.51	30.51	30.51	30.51	30.51	30.51	30.51
L105	REAR OVERHANG	40.47	40.47	38.50	47.52	38.50	38.50	38.50	38.50
L404	CAB TO C OF REAR AXLE	56.18	56.18	60.00	60.00	60.00	64.00	60.00	64.00
L701	MUFFLER — W/4.9L	26.98	25.96	25.96	25.96	25.96	26.0	—	—
	— W/5.8L/7.5L	28.0	28.0	28.0	28.0	28.0	30.0	28.0	28.0
	— W/7.3L	32.25	32.25	32.25	32.25	32.25	32.25	32.25	32.25
L702	MUFFLER REAR — C REAR AXLE — W/4.9L	13.19	13.19	13.19	13.19	13.19	—	—	—
	— W/5.8L/7.3L/7.5L	13.27	13.27	13.27	13.27	13.27	13.23	13.27	13.27
L703	REAR SPRING FRONT EYE — C REAR AXLE	25.16	25.16	26.26	26.26	26.26	26.26	—	—
L704	C REAR AXLE — C REAR SPRING SHACKLE	31.50	31.50	25.59	25.59	25.59	25.59	29.60	29.60
L706	C FRONT REAR SPRING SHACKLE — C REAR AXLE	20.24	20.24	20.20	20.20	20.20	20.20	25.80	25.80
L707	C REAR AXLE — REAR SPRING SHACKLE	28.27	28.27	21.93	21.93	21.93	21.93	25.04	25.04
L708	REAR SPRING SHACKLE — REAR	6.42	6.42	7.05	7.05	7.05	7.05	8.81	8.81
L709	REAR SPRING SHACKLE — FRONT	9.84	9.84	8.27	8.27	8.27	8.27	9.01	9.01
L711	C OF REAR AXLE TO C EXHAUST PIPE — W/4.9L	25.12	25.12	25.12	25.12	25.12	25.12	25.12	25.12
	— W/5.8L/7.3L/7.5L	24.88	24.88	24.88	24.88	24.88	24.88	24.88	24.88
W700	MUFFLER DIAMETER — W/4.9L/5.8L	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
	— W/7.3L/7.5L	5x9%	5x9%	5x9%	5x9%	5x9%	5x9%	5x9%	5x9%
W701	DISTANCE BETWEEN C ENGINE/VEHICLE	1.77	1.77	1.77	1.77	1.77	1.77	1.77	1.77
W702	END OF TAILPIPE C VEHICLE — W/4.9L	35.20	35.20	35.20	35.20	35.20	35.20	35.20	35.20
	— W/5.8L/7.3L/7.5L	35.16	35.16	35.16	35.16	35.16	35.16	35.16	35.16
W703	FRAME SIDE MEMBER FLANGE WIDTH	2.76	2.76	2.95	2.95	2.95	2.95	4.61 1/	4.61 1/
W704	REAR FRAME WIDTH	37.52	37.52	34.02	34.02	34.02	34.02	34.08	34.08
W705	DISTANCE BETWEEN FRAME & REAR SHACKLE	6.69	6.69	5.83	5.83	5.83	5.83	6.45	6.45
W706	DISTANCE BETWEEN FRAME & FRONT SHACKLE	6.65	6.65	5.24	5.24	5.24	5.24	5.98	5.98
H106	APPROACH ANGLE FRONT BUMPER	36.8	43.4 6/	35.6	35.6	44.2	43.4 6/	41.0 6/	41.0 6/
H107	DEPARTURE ANGLE TO LICENSE PLATE	16.0	21.5 3/	15.5	13.3	22.0	22.2 3/	19.8 3/	16.9 3/
H147	RAMP ANGLE	23.7	24.1 4/	22.2	22.5	26.6	20.4 4/	20.6 4/	17.4 4/
H507	FRAME HEIGHT	5.71	5.71	5.63	5.63	5.63	5.63	5.71 2/	5.71 2/
H508	FRAME DATUM TO TOP OF FRAME	4.96	4.96	4.85	4.85	4.85	4.85	4.89	4.89
H509	FRAME DATUM TO TOP OF FRAME AT RR. AXLE	6.38	6.38	6.38	6.38	6.38	6.38	6.42	6.42
H700	TOP OF MIDSHIP FUEL TANK — FRAME DATUM	4.69	4.69	4.49	4.49	4.49	4.49	4.49	4.49
H701	C OF OUTLET PIPE — FRAME DATUM — W/4.9L	6.99	6.99	6.99	6.99	6.99	6.99	6.99	6.99
	— W/5.8L/7.3L/7.5L	6.83	6.83	6.83	6.83	6.83	6.83	6.83	6.83
H702	FRAME DATUM TO TOP OF FRAME	4.96	4.96	4.85	4.85	4.85	4.85	4.89	4.89

NOTE: H106, H107 AND H147 ARE FOR BASE VEHICLES AT DESIGN LOAD.
1/ FRONT BUMPER 3/ LICENSE PLATE
2/ TRANS. CROSSMEMBER 4/ CATALYTIC SHIELD

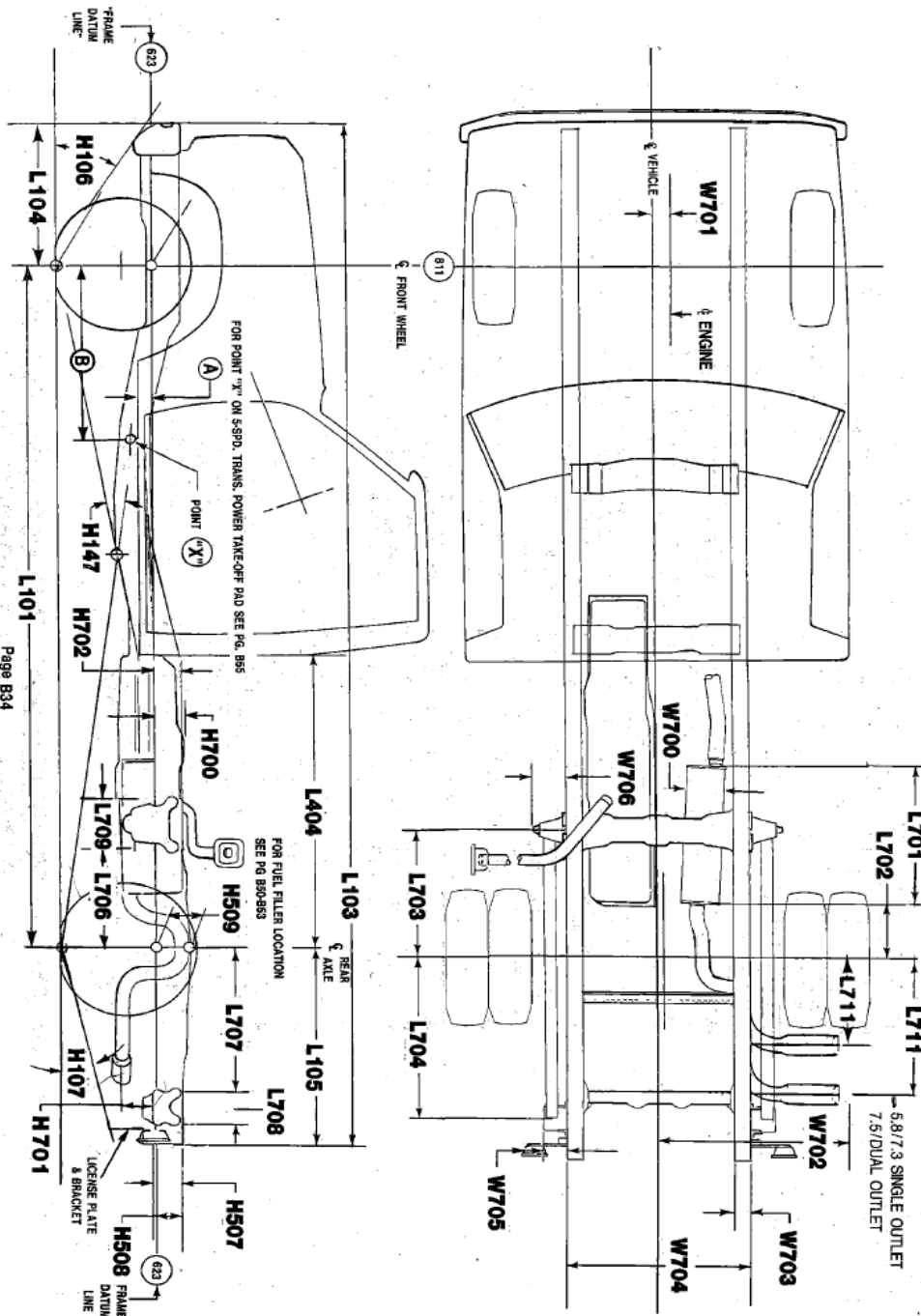
5/ MIDSHIP FUEL TANK
6/ LEAF SPRINGS

NOTE: FOR AXLE/TIRE/VEHICLE HEIGHT
DATA, SEE PAGES B45, B46, B47.

THE HENRY FORD
BENSON FORD RESEARCH CENTER
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DEARBORN, MI 48124-5029

F-350/F-SUPER DUTY CHASSIS CAB — 4X2/4X4

(SEE PAGE BELOW FOR DIMENSIONS)



Page B34

SECTION D

-C-

Technical drawing of a vehicle chassis showing dimensions and components. The drawing includes the following labels and dimensions:

- Overall Height of Vehicle (Std. Springs):** Indicated by a vertical dimension line on the left side.
- CH:** Chassis height dimension.
- FRONT WHEEL:** Indicated by a horizontal dimension line.
- REAR AXLE:** Indicated by a horizontal dimension line.
- END OF FRAME (STD. SPRINGS):** Indicated by a horizontal dimension line.
- LH:** Length dimension.
- GROUND:** Indicated by a horizontal line at the bottom.
- FRAME DATUM LINE:** Indicated by a horizontal line at the bottom.
- FW/RW:** Front wheel radius dimension.
- VEHICLE:** Indicated by a horizontal dimension line.
- AA:** Dimension from front wheel center to rear axle.
- BB:** Dimension from front wheel center to rear axle.
- CC:** Dimension from front wheel center to rear axle.
- TH:** Thickness dimension.
- 13 MIN. (.51) CLR.:** Minimum clearance dimension.
- TW:** Dimension from front wheel center to rear axle.
- RECOMMENDED 2ND UNIT BODY TIRE CLEARANCE (WHEELHOUSE):** Indicated by a horizontal dimension line.
- SPRING:** Indicated by a horizontal dimension line.
- FRAME DATUM LINE:** Indicated by a horizontal line at the bottom.

MODEL	W.B.	GYWR	TIRE BASE	"F" Frame Height @ Front Wheel I/				"R" Frame Height @ Rear Axle I/				LH'/'				CH'/'				H	J	K	L	M	AA	BB	CC	FW	RW	OW	TH	TW
				Height at Base Curb Wl.	Loaded Height @ Spring Rdng	Std. Spring	Height at Base Curb Wl.	Loaded Height @ Spring Rdng	Empty	Loaded	Empty	Loaded																				
F-350 412 Reg. Cab	133.0	8400	LT235/85R-16E	21.76	19.86	33.46	30.30	26.57	20.40	74.28	70.92	4.29	6.18	6.38	44.54	1.30	9.60	32.26	14.55	65.7	64.3	73.9	15.3	26.3								
F-350 412 Chassis Cab	136.8	10000* 11000*	LT215/85R-16D LT215/85R-16D	21.61 21.57	19.45 19.45	33.85 20.47	20.47	34.49 24.50	20.76 20.76	73.47 73.45	70.80	5.16	6.46	6.38	40.25	1.30	9.02	30.95	13.92	65.7	67.1	92.2	15.4	23.0								
F-350 417 Duty 412	136.8 160.8	14500*	LT215/85R-16D LT215/85R-16D	21.45 21.45	19.45 19.45	23.85 23.85	20.47 20.47	25.42 31.65	20.72 29.70	73.23 73.27	70.72 70.72	—	—	6.94	41.48	1.09	9.60	32.26	14.55	67.0	69.7	90.0	15.4	23.0								
F-350 414 Reg. Cab	133.0	8800	LT235/85R-16E	26.29	24.48	29.68	24.44	30.69	24.42	78.67	75.37	1.69	6.38	6.38	44.54	1.30	9.60	32.26	14.55	67.9	64.3	73.9	11.3	26.3								
F-350 414 Chassis Cab	136.8 160.8	11000* 11000*	LT235/85R-16E LT235/85R-16E	26.21 26.21	24.49 24.49	28.34 28.34	24.96 24.96	28.92 28.92	25.08 25.08	75.58 78.01	75.58	1.69	6.38	6.38	40.25	1.30	9.60	32.26	14.55	67.9	67.1	87.4	12.2	22.8								

NOTE: ALL VEHICLE HEIGHT DIMENSIONS SHOWN ARE FROM GROUND TO "FRAME DATUM LINE."

1/ -- THE HEIGHT DATA SHOWN REPRESENTS DIMENSIONS OF A NOMINAL VEHICLE WITH NO OPTIONS.

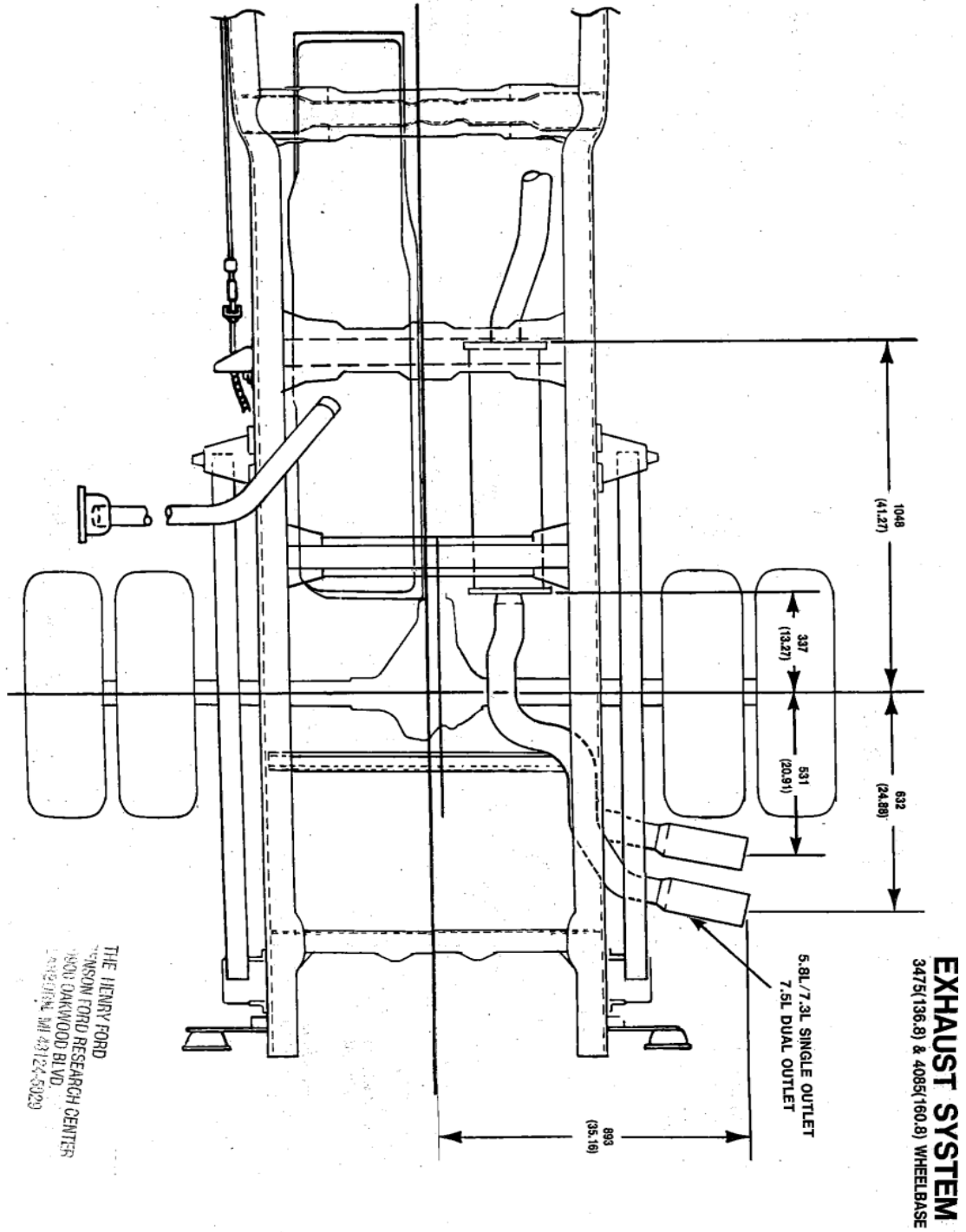
ACTUAL HEIGHT MAY VARY DUE TO PRODUCTION TOLERANCES.

22/ REAR WIDTH = 74.0" W/F-SUPER DUTY AMBULANCE PREP. PACKAGE.

*— DUAL REAR WHEELS.

FULL SIZE

-D-



-E1-

1990 F-Series Dimensions and Capacities

Cab Dimensions*

	Regular Cab	SuperCab	Crew Cab
Front:			
Head Room	40.3	40.0	40.2
Leg Room	41.1	41.1	41.1
Shoulder Room	65.3	65.3	65.3
Hip Room	61.2	61.2	61.2
Rear:			
Head Room	—	39.2	39.6
Shoulder Room	—	67.4	64.9
Hip Room	—	61.1	61.5
Cargo Capacity (cu. ft.)	—	31.8 ^(a)	—

^(a) Behind front seat with standard rear bench seat folded; 30.8 with optional rear jump seats folded.

Exterior Dimensions*

Regular Cab	Wheelbase	Overall Length ^(b)	Max. Width	Pickup Box Dimensions		
				Inside Length @ Floor	Max. Load Width	Width Between Wheelhouse
Styleside	116.8	194.1	79.0	82.1	70.0	50.8
Styleside	133.0	210.2	79.0 ^(c)	98.3	70.0	50.8
Chassis-Cab	133.0	204.0	79.0	—	—	—
Chassis-Cab	136.8	205.8	92.2 ^(d)	—	—	—
Chassis-Cab	160.8	230.0	92.2 ^(d)	—	—	—
SuperCab						
Styleside	138.8	216.1	79.0	82.1	70.0	50.8
Styleside	155.0	232.2	79.0 ^(c)	98.3	70.0	50.8
Crew Cab						
Styleside	168.4	245.7	79.0 ^(c)	98.3	70.0	50.8
Stripped-Chassis						
Chassis	158.0	263.3	92.0	—	—	—
Chassis	178.0	317.7	92.0	—	—	—
Chassis	208.0	347.7	92.0	—	—	—

^(b) Without rear bumper

^(c) 95.4 with dual rear wheels

^(d) 87.4 with 4x4; 90.0 with F-Super Duty

* Dimensions in inches unless otherwise specified.

1990 F-Series Dimensions and Capacities

Specifications

Series	Cab and Body Style	Wheelbase (Inches)	Standard GVWR/Payload Rating (lbs.)	Maximum GVWR/Payload Rating (lbs.)
F-150 4x2	Reg. Cab Styleside	116.8	5250/1610	5250/1610
	Reg. Cab Styleside	133.0	5450/1720	6250/2505
	SuperCab Styleside	138.8	6050/1915	6050/1915
	SuperCab Styleside	155.0	6250/1995	6250/1995
F-150 4x4	Reg. Cab Styleside	116.8	6100/2175	6100/2175
	Reg. Cab Styleside	133.0	6250/2240	6250/2240
	SuperCab Styleside	138.8	6250/1900	6250/1900
	SuperCab Styleside	155.0	6250/1775	6250/1775
F-250 4x2	Reg. Cab Styleside	133.0	6600/2620	6600/2620
F-250 4x4	Reg. Cab Styleside	133.0	6800/2470	6800/2470
F-250 HD 4x2	Reg. Cab Styleside	133.0	8600/4420	8600/4420
	SuperCab Styleside	155.0	8800/4020	8800/4020
F-250 HD 4x4	Reg. Cab Styleside	133.0	8600/4010	8600/4010
	SuperCab Styleside	155.0	8800/3675	8800/3675
F-350 4x2 SRW	Crew Cab Styleside	168.4	9200/4120	9200/4120
	Reg. Cab Chassis-Cab	133.0	8800/4960	8800/4960
F-350 4x2 DRW	Reg. Cab Styleside	133.0	10000/5245	10000/5245
	SuperCab Styleside	155.0	10000/4720	10000/4720
	Crew Cab Styleside	168.4	10000/4750	10000/4750
	Reg. Cab Chassis-Cab	136.8	10000/5770	11000/6685
	Reg. Cab Chassis-Cab	160.8	10000/5605	11000/6520
F-350 4x4 SRW	Reg. Cab Styleside	133.0	9000/4245	9000/4245
	Crew Cab Styleside	168.4	9200/3780	9200/3780
	Reg. Cab Chassis-Cab	133.0	8800/4220	8800/4220
F-350 4x4 DRW	Reg. Cab Chassis-Cab	136.8	11000/6010	11000/6010
	Reg. Cab Chassis-Cab	160.8	11000/5915	11000/5915
F-Super Duty 4x2	Reg. Cab Chassis-Cab	136.8	14500/9280	14500/9280
	Reg. Cab Chassis-Cab	160.8	14500/9190	14500/9190
	Commercial Stripped-Chassis	158.0	16000/10530	16000/10530
	Commercial Stripped-Chassis	178.0	16000/10445	16000/10445
	Motorhome Stripped-Chassis	178.0	16000/10490	16000/10490
	Motorhome Stripped-Chassis	208.0	16000/10380	16000/10380

-F-



Date February 19, 2016

Reference No.: 2016-816433

John Atkinson
1501 Fuller Ave.
Penetanguishene Ontario
Canada
L9M2H4

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Hello Mr. Atkinson,

Thank you for your interest in the collections of The Henry Ford. The Henry Ford, accredited by the American Alliance of Museums, is an independent, non-profit, educational institution unaffiliated with the Ford Motor Company or the Ford Foundation.

Enclosed you will find information I found on 1990, Ford F-350 chassis for your reference. I also included the indexes to a couple other manuals we have, but that I didn't think would be of use to you. If however you see something that looks like it would be of interest please let me know.

Thank you again for your inquiry and please let me know if I can be of further assistance.

Sincerely,

Stephanie Lucas
Research Specialist
The Henry Ford
Research.Center@thehenryford.org

20900 Oakwood Boulevard
Dearborn, Michigan 48124-5029
tel 313.271.1620
www.thehenryford.org

-G-



Ford Motor Company of Canada, Limited
Ford du Canada Limitée

The Canadian Road
P.O. Box 2000
Oakville, Ontario
L6J 5E4

February 24, 2016

Mr. John Atkinson
% Curtis Desroches
1501 Fuller Ave
Penetanguishene, ON L9M 2H4

Dear Mr. Atkinson:

Thank you for your recent contact with the Customer Relationship Centre.

You asked us to provide you with dimensions for your 1990 Ford F-350, Vehicle Identification Number **2FDKF38M2LCA67384**.

Enclosed is a replication of your vehicle's dimensions; this document is vehicle specific and should not be used as a reference for similar Ford products.

Sincerely,

A handwritten signature in black ink, appearing to read "Nigel Dottin".

Nigel Dottin
Research Unit Representative
Ford of Canada Customer Relationship Centre

Auto Parts and Services - Ford Truck - 1990 - Box 91

1990

SPECIFICATION
BOOK

TRUCK

2

LIGHT
DUTY

- Econoline
- Club Wagon
- Bronco
- F-150 — F-350
- F-Super Duty



From the collections of The Henry Ford

the **Henry Ford**

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[illegible]

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			Import's reference					
			Import's contact					
Detailed description of contents			Qty	Net Weight (lbs/oz)	Value (USD)	US Tariff Number	Origin Country	Import Value: Up to 100.00
Accessories			30	0 14	0.01		US	000 Nodex 1
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Category of Items: DOCUMENTS			TOTAL	0 14	0.01	I certify the particulars given in this customs declaration are correct. This form does not contain any undeclared dangerous articles, or articles prohibited by legislation or by postal or customs regulations. I have met all applicable export filing requirements under federal law and regulations.		
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1990 Ford F-150 pickup. (FMC)

E-250 CLUB WAGON: All E-250 models were identical to the comparable E-150 models, except for heavier-duty front and rear (full-floating) axles, eight-lug wheels and heavier springs to enable a higher GVW rating. Also, all the 3/4-ton and larger models were available exclusively on the longer 138-in. wheelbase.

E-350 CLUB WAGON: This 1-ton wagon was built with the 20-in. extended body of the Super Vans. Therefore, seating capacity could be as many as 15 with optional seating packages. Otherwise, chassis components were the same as for the rest of the E-350 line and features were identical to the rest of the Club Wagon line.

RANGER PICKUP: After its extensive restyling in 1989, there was little new this year with the Ranger. Gone were the sports-car-like GT and the two-wheel-drive STX. The other trim package levels of the previous year—S, S Plus, Custom, XLT and STX—were carried over. The S was the economy base-line "stripper" pickup. This year, it didn't even have an AM radio available. The S Plus saw quite an upgrade this year. The additions included an AM radio, a black painted rear bumper and an optional "composite" pickup box. It was also available with four-wheel drive. Both models still had the 2.3-liter engine and five-speed manual transmission as the only driveline. The Custom was again offered with both cabs. The XLT was once again the option package of choice. It combined the most popular options with deluxe two-tone paint. The STX was another performance-oriented package for the four-wheel-drive and off-road market. New for 1990 were a different grille and the optional new 4.0-liter V-6 engine. This motor was only available with the automatic overdrive transmission in the STX and XLT series. It was optional in XLTs.

F-150 PICKUP: There were only a handful of mechanical changes for the 1990 F-Series trucks. The biggest upgrade was the added availability of an Electronic (E4AD) automatic overdrive transmission. Other than minute trim tweaks, the new F-150s were exact copies of the 1989s. The three trim levels offered were Custom (basic), XL, and XLT Lariat.

F-250 PICKUP: The 3/4-ton pickups were only offered with the 8-foot Styleside box and the standard cab. All F-250 models were otherwise identical to comparable F-150 models, except for heavier-duty front and rear (full-floating) axles, eight-lug 16-in. wheels and heavier springs that provided a higher GVW rating. The base transmission was a five-speed manual with overdrive. A heavy-duty five-speed manual with overdrive was required in trucks that combined four-wheel drive with the 302-cid V-8.

F-350 PICKUP: Unchanged from last year, they still shared all the styling cues of their smaller siblings. These trucks still had a solid front axle with leaf springs, unlike the Twin Traction front end of the lighter models. As in the previous years, the 1-ton Supercab was only available in two-wheel drive. However, the similar F-250 HD Supercab could be ordered with either two- or four-wheel drive, as could the Crew Cab (exclusively available in the F-350 series).

I.D. DATA: [Aerostar] The Vehicle Identification Number (VIN) has 17 symbols. The first symbol indicates the country of origin (1=USA, 2=Canada). The second symbol indicates the manufacturer (F=Ford). The third symbol indicates the type of vehicle (C=chassis, D=incomplete vehicle, M=multi-purpose vehicle, T=complete truck). The fourth symbol indicates the GVW range and brake system (all hydraulic for light duty). The fifth symbol indicates the model line (A=Aerostar). The sixth and seventh symbols indicate the series and body style as indicated in the second column of the tables below. The eighth symbol indicates the type of engine (A=2.3-liter four-cylinder, U=3.0-liter V-6). The ninth symbol is a check digit. The tenth symbol (a letter) indicates model year (L=1990). The eleventh symbol indicates the assembly plant. The remaining symbols indicate the sequential production number starting with A00001 at each plant. Character 12 becomes B upon completion of the 99,999th unit; therefore the 100,000th vehicle built at a plant is actually B00000.



1990 Ford Explorer. (FMC)

Standard Catalog of Light-Duty Ford Trucks

From the collections of The Henry Ford.

I.D. DATA: [Bronco II] The Vehicle Identification Number (VIN) has 17 symbols. The first symbol indicates the country of origin (1=USA, 2=Canada). The second symbol indicates the manufacturer (F=Ford). The third symbol indicates the type of vehicle (C=chassis, D=incomplete vehicle, M=multi-purpose vehicle, T=complete truck). The fourth symbol indicates the GVW range and brake system (all hydraulic for light duty). The fifth symbol indicates the model line (U14=Bronco II). The sixth and seventh symbols indicate the series and body style as indicated in the second column of the tables below. The eighth symbol indicates the type of engine (T=2.9-liter V-6). The ninth symbol is a check digit. The tenth symbol (a letter) indicates model year (L=1990). The eleventh symbol indicates the assembly plant. The remaining numbers indicate the sequential production number starting with A00001 at each plant. Character 12 becomes B upon completion of the 99,999th unit; therefore the 100,000th vehicle built at a plant is actually B00000. Paint colors were Raven Black, Colonial White, Scarlet Red, Cabernet Red, Light Sandalwood, Light Sandalwood Clearcoat Metallic, Sandalwood Clearcoat Metallic, Crystal Blue Clearcoat Metallic, Twilight Blue Clearcoat Metallic, Shadow Gray Clearcoat Metallic, Silver Clearcoat Metallic, and Hunter Green Clearcoat Metallic.

I.D. DATA: [Bronco] The Vehicle Identification Number (VIN) has 17 symbols. The first symbol indicates the country of origin (1=USA, 2=Canada). The second symbol indicates the manufacturer (F=Ford). The third symbol indicates the type of vehicle (C=chassis, D=incomplete vehicle, M=multi-purpose vehicle, T=complete truck). The fourth symbol indicates the GVW range and brake system (all hydraulic for light duty). The fifth symbol indicates the model line (U15=Bronco). The sixth and seventh symbols indicate the series and body style as indicated in the second column of the tables below. The eighth symbol indicates the type of engine (U=3.0-liter V-6, N=5.0-liter V-8, H=5.8-liter V-8). The ninth symbol is a check digit. The tenth symbol (a letter) indicates model year (L=1990). The eleventh symbol indicates the assembly plant. The remaining numbers indicate the sequential production number starting with A00001 at each plant. Character 12 becomes B upon completion of the 99,999th unit; therefore the 100,000th vehicle built at a plant is actually B00000.

I.D. DATA: [Econoline] The Vehicle Identification Number (VIN) has 17 symbols. The first symbol indicates the country of origin (1=USA, 2=Canada). The second symbol indicates the manufacturer (F=Ford). The third symbol indicates the type of vehicle (C=chassis, D=incomplete vehicle, M=multi-purpose vehicle, T=complete truck). The fourth symbol indicates the GVW range and brake system (all hydraulic for light duty). The fifth symbol indicates the model line (E=Econoline, S=Super Van). The sixth and seventh symbols indicate the series and body style as indicated in the second column of the tables below. The eighth symbol indicates the type of engine (U=3.0-liter V-6, N=5.0-liter V-8, H=5.8-liter V-8, 1=6.9-liter diesel V-8 and L=7.5-liter V-8). The ninth symbol is a check digit. The tenth symbol (a letter) indicates model year (L=1990). The eleventh symbol indicates the assembly plant. The remaining numbers indicate the sequential production number starting with A00001 at each plant. Character 12 becomes B upon completion of the 99,999th unit; therefore the 100,000th vehicle built at a plant is actually B00000.

I.D. DATA: [Club Wagon] The Vehicle Identification Number (VIN) has 17 symbols. The first symbol indicates the country of origin (1=USA, 2=Canada). The second symbol indicates the manufacturer (F=Ford). The third symbol indicates the type of vehicle (C=chassis, D=incomplete vehicle, M=multi-purpose vehicle, T=complete truck). The fourth symbol indicates the GVW range and brake system (all hydraulic for light duty). The fifth symbol indicates the model line (E=Club Wagon, S=Super Wagon). The sixth and seventh symbols indicate the series and body style as indicated in the second column of the tables below. The eighth symbol indicates the type of engine (U=3.0-liter V-6, N=5.0-liter V-8, H=5.8-liter V-8, 1=6.9-liter diesel V-8 and L=7.5-liter V-8). The ninth symbol is a check digit. The tenth symbol (a letter) indicates model year (L=1990). The eleventh symbol indicates the assembly plant. The remaining numbers indicate the sequential production number starting with A00001 at each plant. Character 12 becomes B upon completion of the 99,999th unit; therefore the 100,000th vehicle built at a plant is actually B00000.

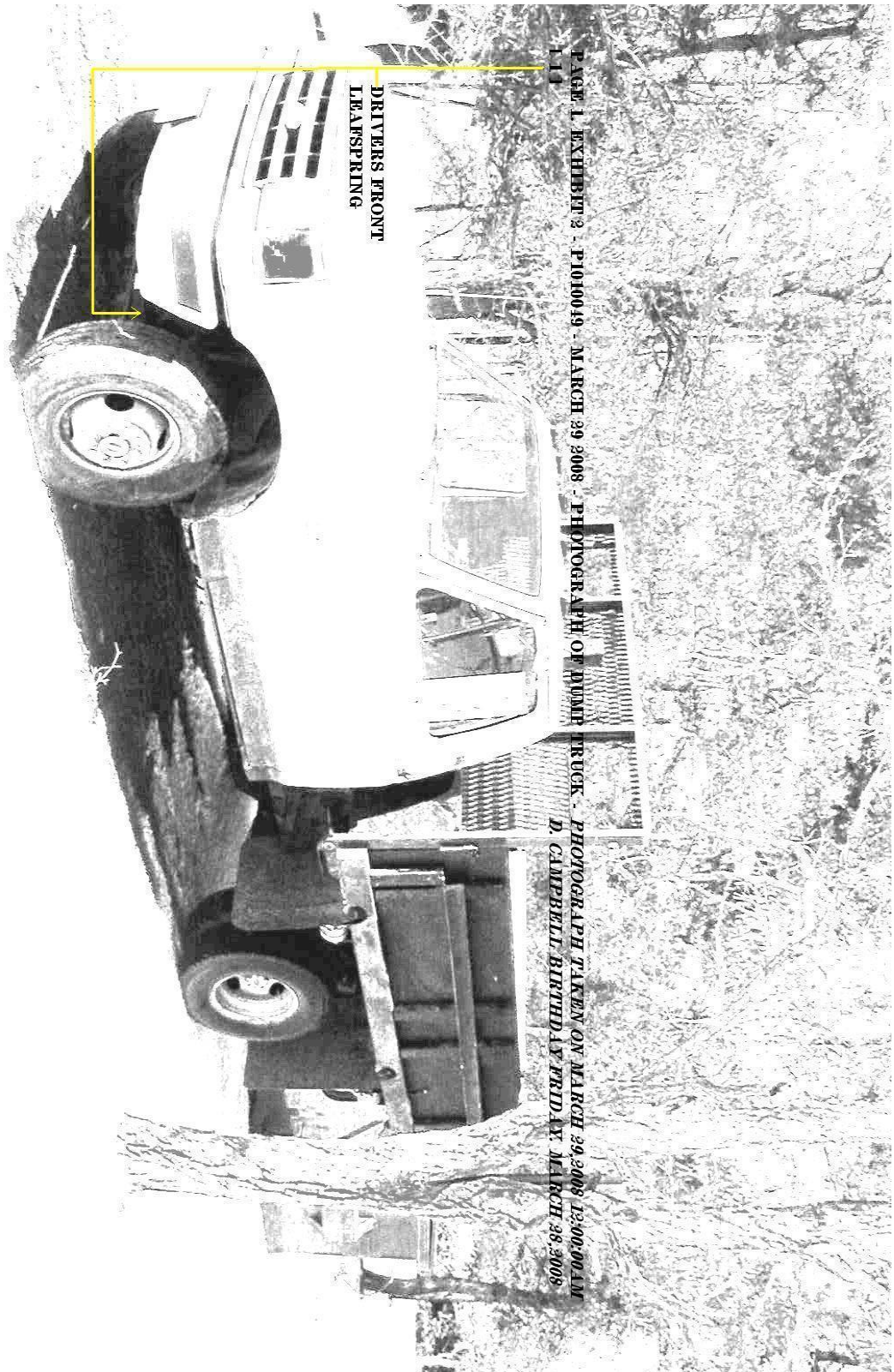
I.D. DATA: [Ranger] The Vehicle Identification Number (VIN) has 17 symbols. The first symbol indicates the country of origin (1=USA, 2=Canada). The second symbol indicates the manufacturer (F=Ford). The third symbol indicates the type of vehicle (C=chassis, D=incomplete vehicle, M=multi-purpose vehicle, T=complete truck). The fourth symbol indicates the GVW range and brake system (all hydraulic for light duty). The fifth symbol indicates the model line (R=Ranger). The sixth and seventh symbols indicate the series and body style as indicated in the second column of the tables below. The eighth symbol indicates the type of engine (C=2.0-liter four-cylinder, E=2.3-liter diesel, A=2.3-liter four-cylinder and T=2.9-liter V-6). The ninth symbol is a check digit. The tenth symbol (a letter) indicates model year (L=1990). The eleventh symbol indicates the assembly plant. The remaining numbers indicate the sequential production number starting with A00001 at each plant. Character 12 becomes B upon completion of the 99,999th unit; therefore the 100,000th vehicle built at a plant is actually B00000. Paint colors were Raven Black, Colonial White, Scarlet Red, Light Sandalwood, Light Sandalwood Clearcoat Metallic, Sandalwood Clearcoat Metallic, Crystal Blue Clearcoat Metallic, Twilight Blue Clearcoat Metallic, Shadow Gray Clearcoat Metallic, Silver Clearcoat Metallic, and Hunter Green Clearcoat Metallic.

I.D. DATA: [F-Series] The Vehicle Identification Number (VIN) has 17 symbols. The first symbol indicates the country of origin (1=USA, 2=Canada). The second symbol indicates the manufacturer (F=Ford). The third symbol indicates the type of vehicle (C=chassis, D=incomplete vehicle, M=multi-purpose vehicle, T=complete truck). The fourth symbol indicates the GVW range and brake system (all hydraulic for light duty). The fifth symbol indicates the model line (F=F-Series). The sixth and seventh symbols indicate the series and body style as indicated in the second column of the tables below. The eighth symbol indicates the type of engine (Y=4.9-liter inline six, N=5.0-liter V-8, 1=6.9-liter V-8, 1=6.9-liter diesel V-8 and L=7.5-liter V-8). The ninth symbol is a check digit. The tenth symbol (a letter) indicates model year (L=1990). The eleventh symbol indicates the assembly plant. The remaining numbers indicate the sequential production number starting with A00001 at each plant. Character 12 becomes B upon completion of the 99,999th unit; therefore the 100,000th vehicle built at a plant is actually B00000. Exterior paint colors were: Raven Black, Dark Grey Metallic, Medium Silver Metallic, Scarlet Red, Bright Ragata Blue Metallic, Alpine Green Metallic, Cabernet Red, Deep Shadow Blue Metallic, Colonial White, Desert Tan Metallic, Dark Chestnut Metallic, and Tan.

-K-



SECTION E
E-45

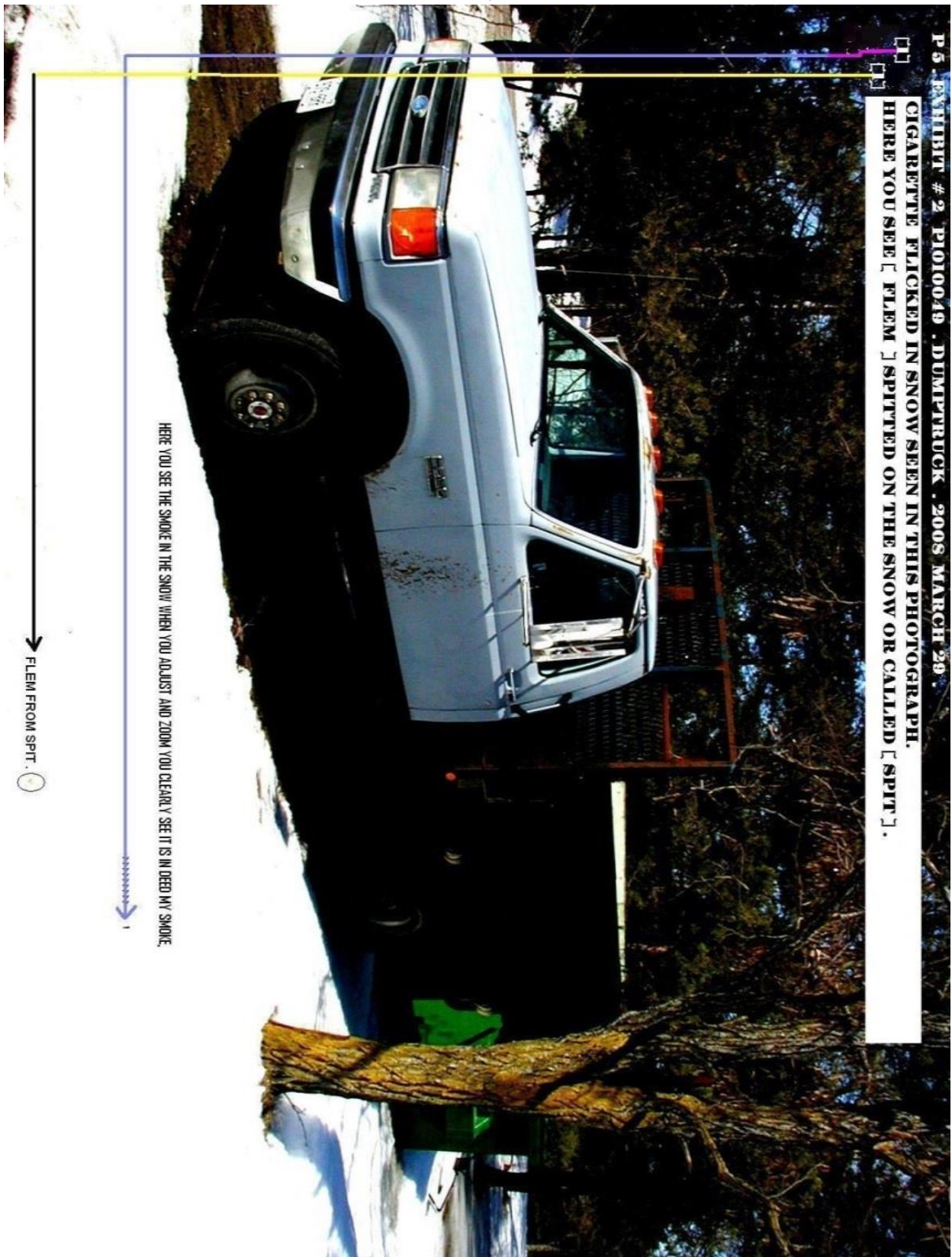




PAGE 3 - EXHIBIT 3 - P1010019 - MARCH 29, 2008 - PHOTOGRAPH OF DUMP TRUCK PHOTOGRAPH TAKEN ON MARCH 29, 2008 - 12:00:00 AM
1 1 FRONT DRIVERS SIDE DIFFERENTIAL CARRIER
D CAMPBELL BIRTHDAY FRIDAY MARCH 28 2008







E-50



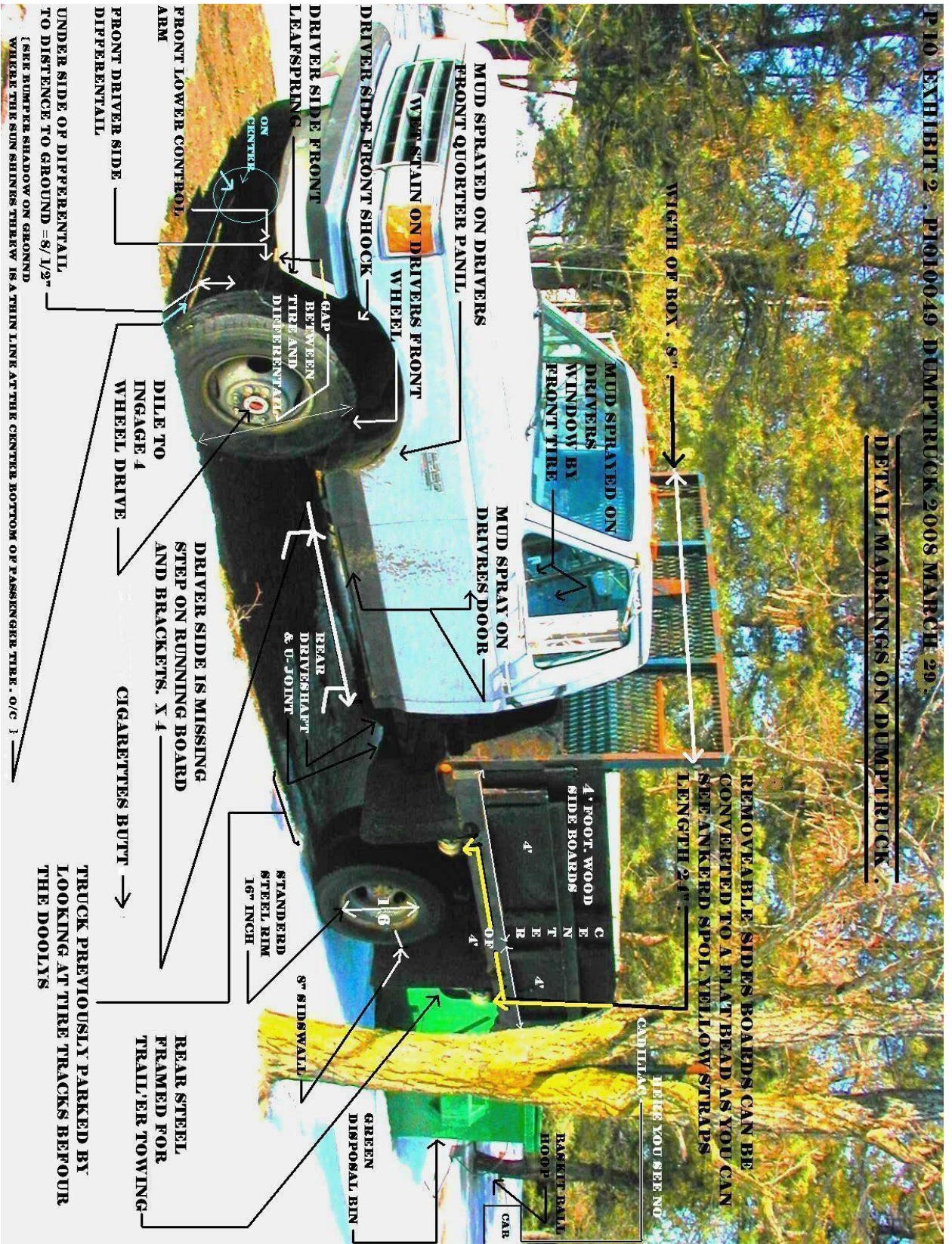
P 6 EXHIBIT 2 P1010049 08-29-2008. PHOTOGRAPH OF DUMP TRUCK ON NORTH SIDE
(U) MUD ON DRIVERS FRONT LEFT FENDER-DOOR WINDOWMUD SPRAY CONSISTENT WITH PATTERN OF DOOR OPEN

E-51



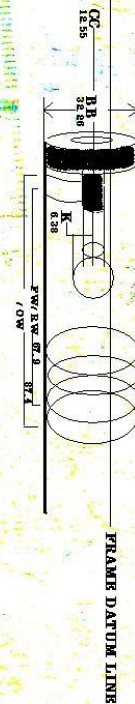






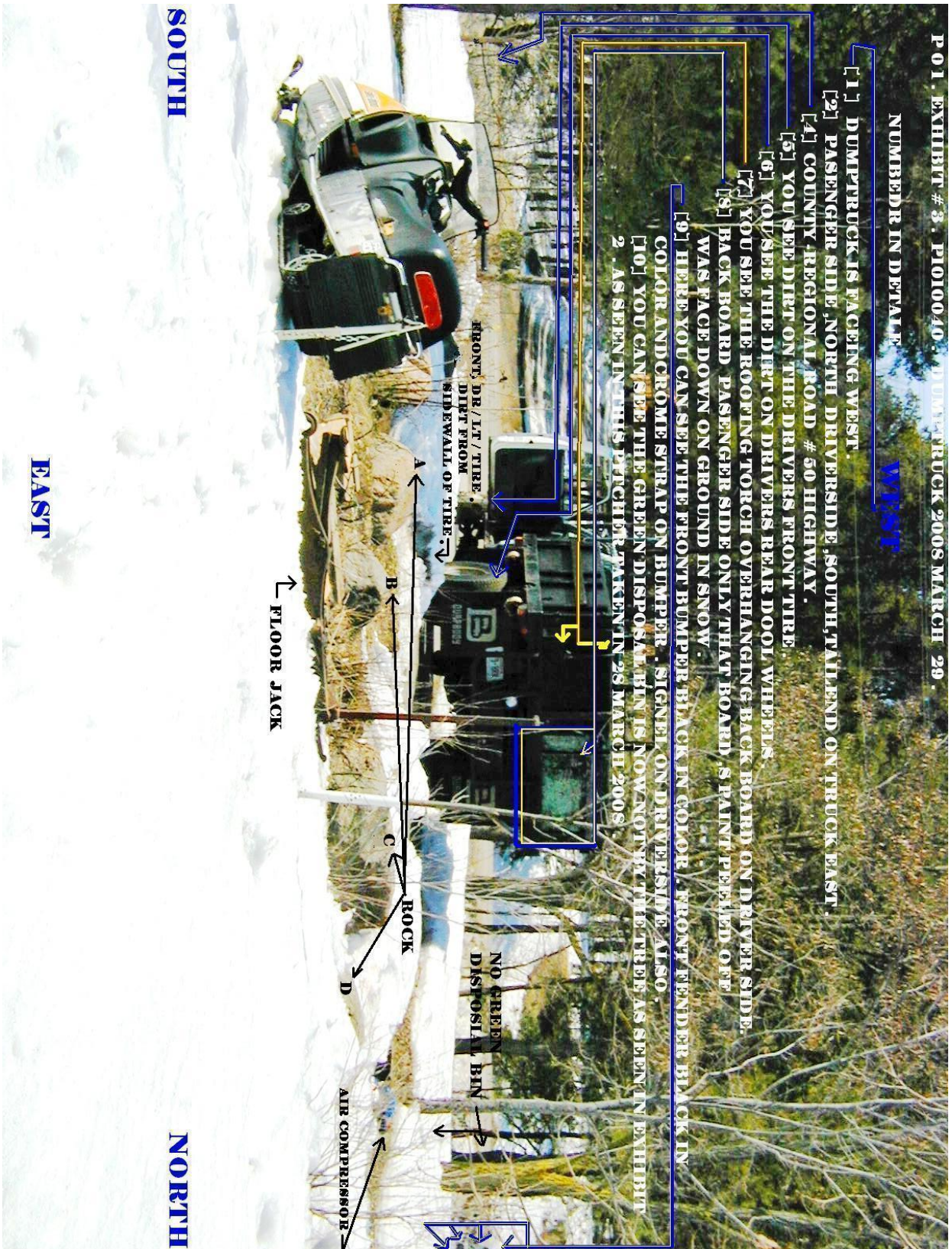
PAGE 11 EXHIBIT 2 - P1010019 - MARCH 29, 2008 - PHOTOGRAPH OF DUMP TRUCK PHOTOGRAPH TAKEN ON MARCH 29, 2008 - 2:00:00AM
D CAMPBELL BIRTHDAY FRIDAY MARCH 28, 2008

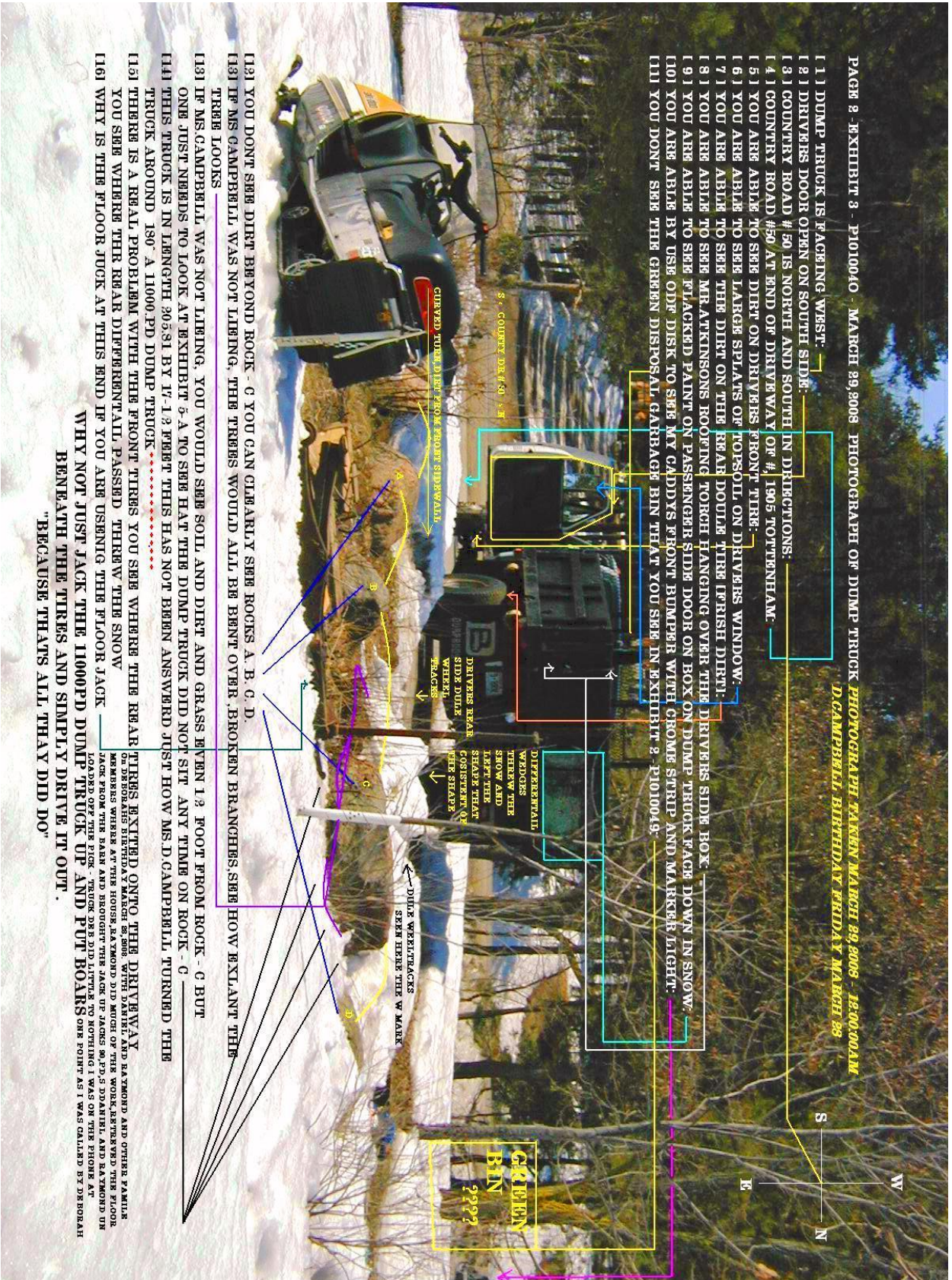
1 1 DIFFERENTIAL CLEARANCE FROM UNDER SIDE OF CARRIER TO GROUND
SEE AXLE/TIND/VEHICLE HEIGHT DATA - P-430/P-SUPER DUTY CHASSIS CAB



HERE YOU CAN FIND THE CENTER OF THE GROUND TO THE UNDERSIDE OF THE DIFFERENTIAL. WHEN LOOKING AT
PASSENGER RIGHT FRONT TIRE AT THE BOTTOM YOU SEE WHERE THE DAY LIGHT PASSES THROUGH THE BUMPER THERE NO
THE GROUND AS I HAVE MARKED OUT AS THE WIDTHSHOWN BY A BLACK LINE AS ALL IN LIFE NOTHING IS FORMED WITH
OUT THE NUMBERS. THE MATR IS ALL HERE IT IS NOT WHAT I THINK YOU THINK WHEN YOU ADD THE KNOWN NUMBERS
AND IN THIS CASE FORD OF CANADA HAS PROVIDED SUCH NUMBERS AND DIMENSIONS THAT CAN NOT BE DISPUTED.

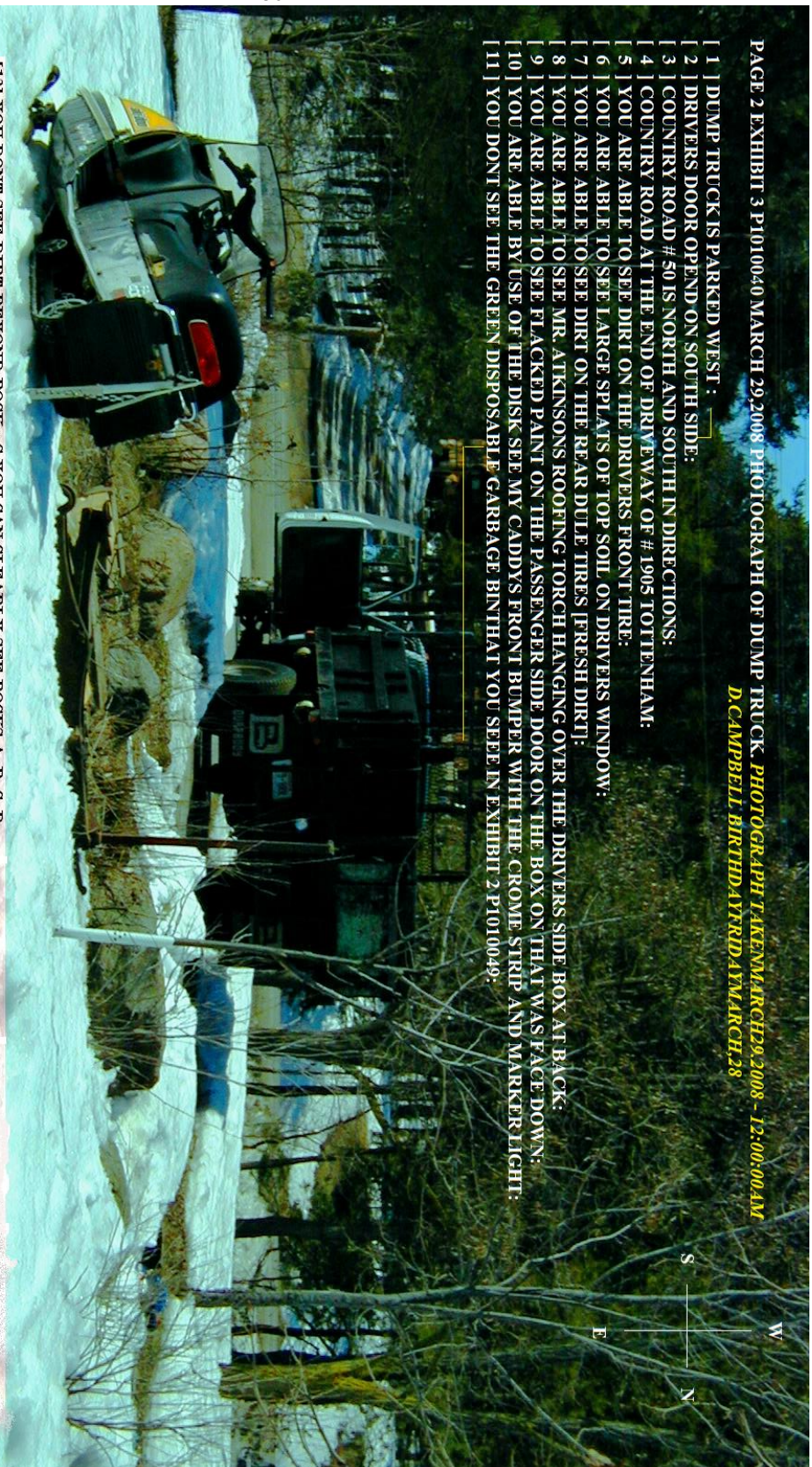
SECTION F
F-58





PAGE 2 EXHIBIT 3 P1010040 MARCH 29, 2008 PHOTOGRAPH OF DUMP TRUCK. PHOTOGRAPH TAKEN MARCH 29, 2008 - 12:00:00 AM
D.CAMPBELL BIRTHDAY TRIP, ATM, MARCH 28

- [1] DUMP TRUCK IS PARKED WEST : —
- [2] DRIVERS DOOR OPEN ON SOUTH SIDE:
- [3] COUNTRY ROAD # 50 IS NORTH AND SOUTH IN DIRECTIONS:
- [4] COUNTRY ROAD AT THE END OF DRIVEWAY OF # 1905 TOTTEHAM:
- [5] YOU ARE ABLE TO SEE DIRT ON THE DRIVERS FRONT TIRE:
- [6] YOU ARE ABLE TO SEE LARGE SPLATS OF TOP SOIL ON DRIVERS WINDOW:
- [7] YOU ARE ABLE TO SEE DIRT ON THE REAR DULE TIRES [FRESH DIRT]:
- [8] YOU ARE ABLE TO SEE MR. ATKINSONS ROOFING TORCH HANGING OVER THE DRIVERS SIDE BOX AT BACK:
- [9] YOU ARE ABLE TO SEE FLACKED PAINT ON THE PASSENGER SIDE DOOR ON THE BOX ON THAT WAS FACE DOWN:
- [10] YOU ARE ABLE BY USE OF THE DISK SEE MY CADDYS FRONT BUMPER WITH THE CROME STRIP AND MARKER LIGHT:
- [11] YOU DONT SEE THE GREEN DISPOSABLE GARBAGE BIN THAT YOU SEE IN EXHIBIT 2 P1010049:



- [131] YOU DONT SEE DIRT BEYOND ROCK - G YOU CAN CLEARLY SEE ROCKS A. B. C. D.
- [132] IF MS CAMPBELL WAS NOT LIEING, THE TREES WOULD ALL BE BENT OVER. BROKEN BRANCHES, SEE HOW EXLANT THE THREE LOONS
- [133] IF MS CAMPBELL WAS NOT LIEING, YOU WOULD SEE SOIL, AND DIRT AND GRASS BETWEN 1 & 2 FOOT FROM ROCK - G BUT ONE JUST NEEDS TO LOOK AT EXHIBIT 5-A TO SEE HAT THE DUMP TRUCK DID NOT SIT ANY TIME ON ROCK - G
- [144] THIS TRUCK IS IN LENGTH 205.31 BY IT-1 & 2 FEET THIS HAS NOT BEEN ANSWERD JUST HOW MS D.CAMPBELL TURNED THE TRUCK AROUND 180° A 11000 PD DUMP TRUCK
- [153] THERE IS A REAL PROBLEM WITH THE FRONT TIRES YOU SEE WHERE THE REAR TIRES EXTED ONTO THE DRIVEWAY YOU SEE WHERE THE REAR DIFFERENTIAL PASSED THROUGH THE SNOW
- [161] WHY IS THE FLOOR JACK AT THIS END IF YOU ARE USING THE FLOOR JACK

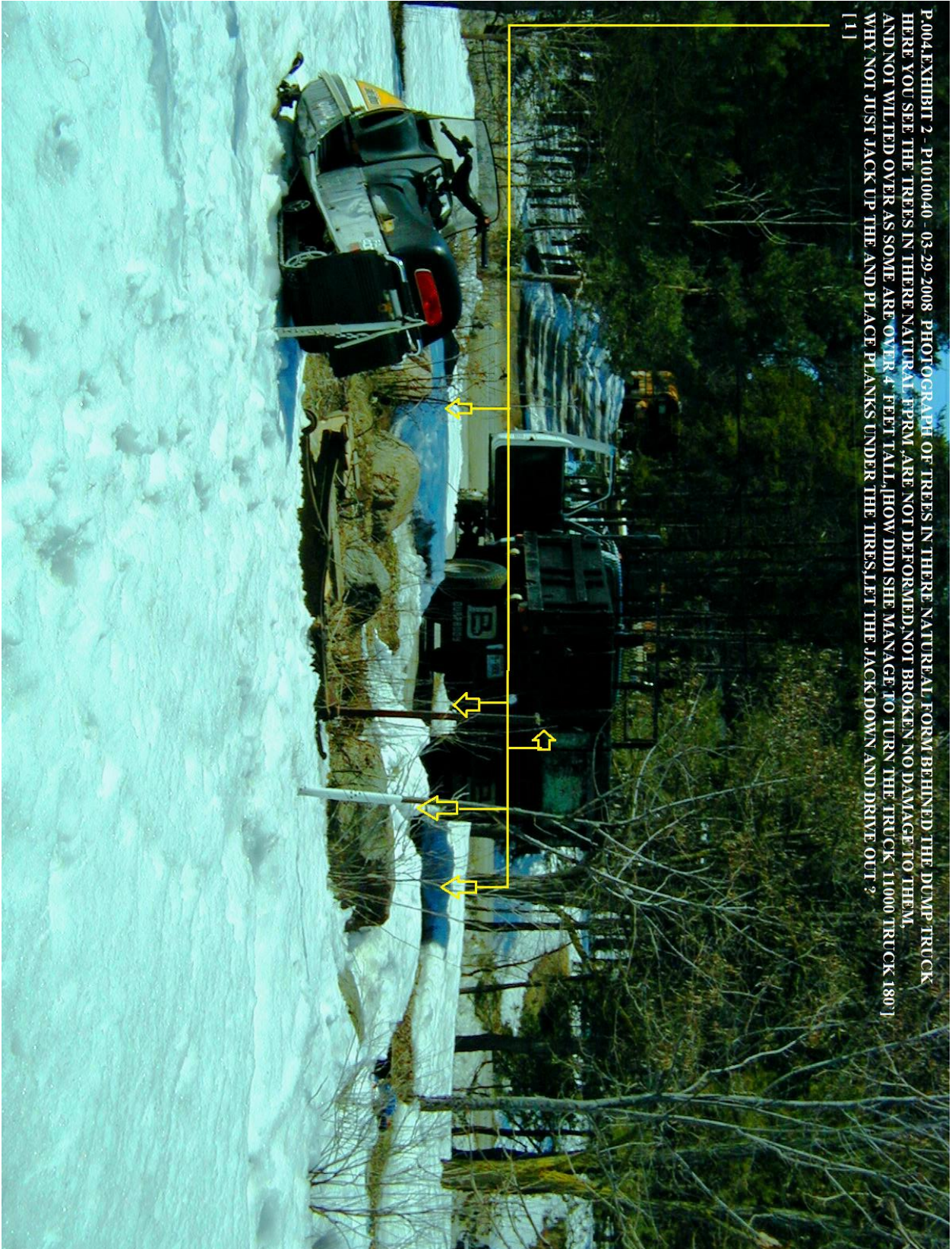
WHY NOT JUST JACK THE 11000PD DUMP TRUCK UP AND PUT BOARS ONE POINT AS I WAS CALLED BY DEROGATE
BENEATH THE TIRES AND SIMPLY DRIVE IT OUT.
"BECAUSE THATS ALL THAY DID DO"



F-62



F-63



P.004,EXHIBIT 2 - P1010040 - 03-29-2008 - PHOTOGRAPH OF TREES IN THERE NATUEAL FORM BEHIND THE DUMP TRUCK
HERE YOU SEE THE TREES IN THERE NATUEAL FPRM ARE NOT DEFORMED,NOT BROKEN NO DAMAGE TO THEM,
AND NOT WILTED OVER AS SOME ARE OVER 4 FEET TALL,[HOW DID SHE MANAGE TO TURN THE TRUCK 11000 TRUCK 180]
WHY NOT JUST JACK UP THE AND PLACE PLANKS UNDER THE TIRES,LET THE JACK DOWN AND DRIVE OUT ?

[1]

F-64



P.006.

DUMP TRUCK

2008 MARCH 29.

P 03. EXHIBIT # 3. P1010044.

P 04. EXHIBIT # 4. P1010043.

In this photograph, I Have overlaped photo p1010043 . Over photograph p1010044 . in doing this we are able to see all that's been changed. In the two Exhibits # 4 and Exhibit # 5 . Exhibit # 4 this exhibit was intered in as . GRANEY , and when looking at this exhibit i only see one reason to not correct the focus may be because of locating a sold sidoo as seen in the photograph . and this number is 00124 . AND KNOWING THIS EXHIBIT IS NOT IN FOCUS , why not make the proper adjustments. ?

Now when you look at exhibit # 5 you see the coving of the sidoo inches just past 00124 . And in that photograph is quite clear in fact real clear .

Now looking at each of these photograph,s in separate photograph,s

F-65

EXHIBIT 4 .

EXHIBIT 5 . OVERLAPPING EXHIBIT 4 .



F-66



SECTION G
G-67



SECTION H
H-68



SECTION I
I-69

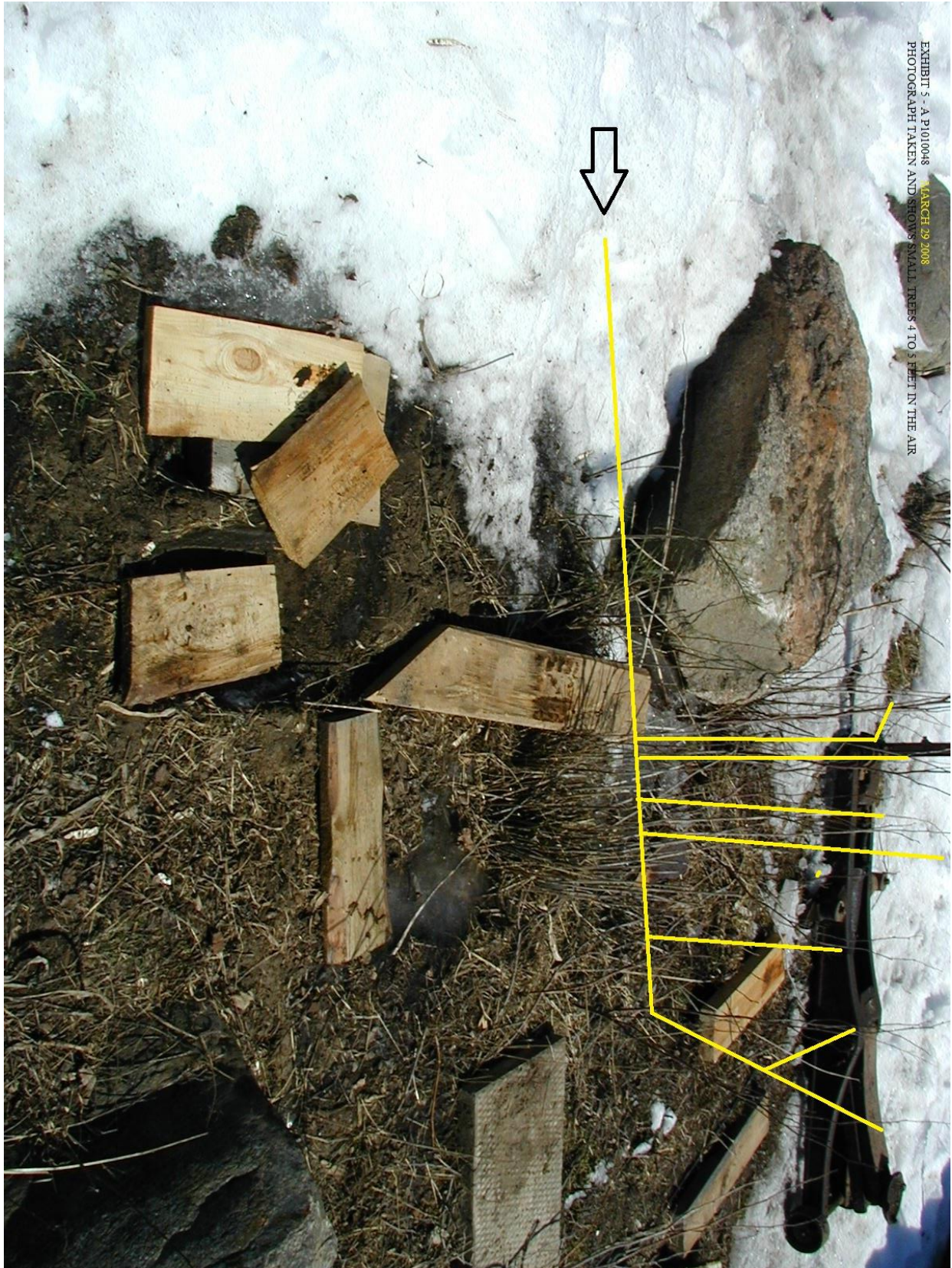
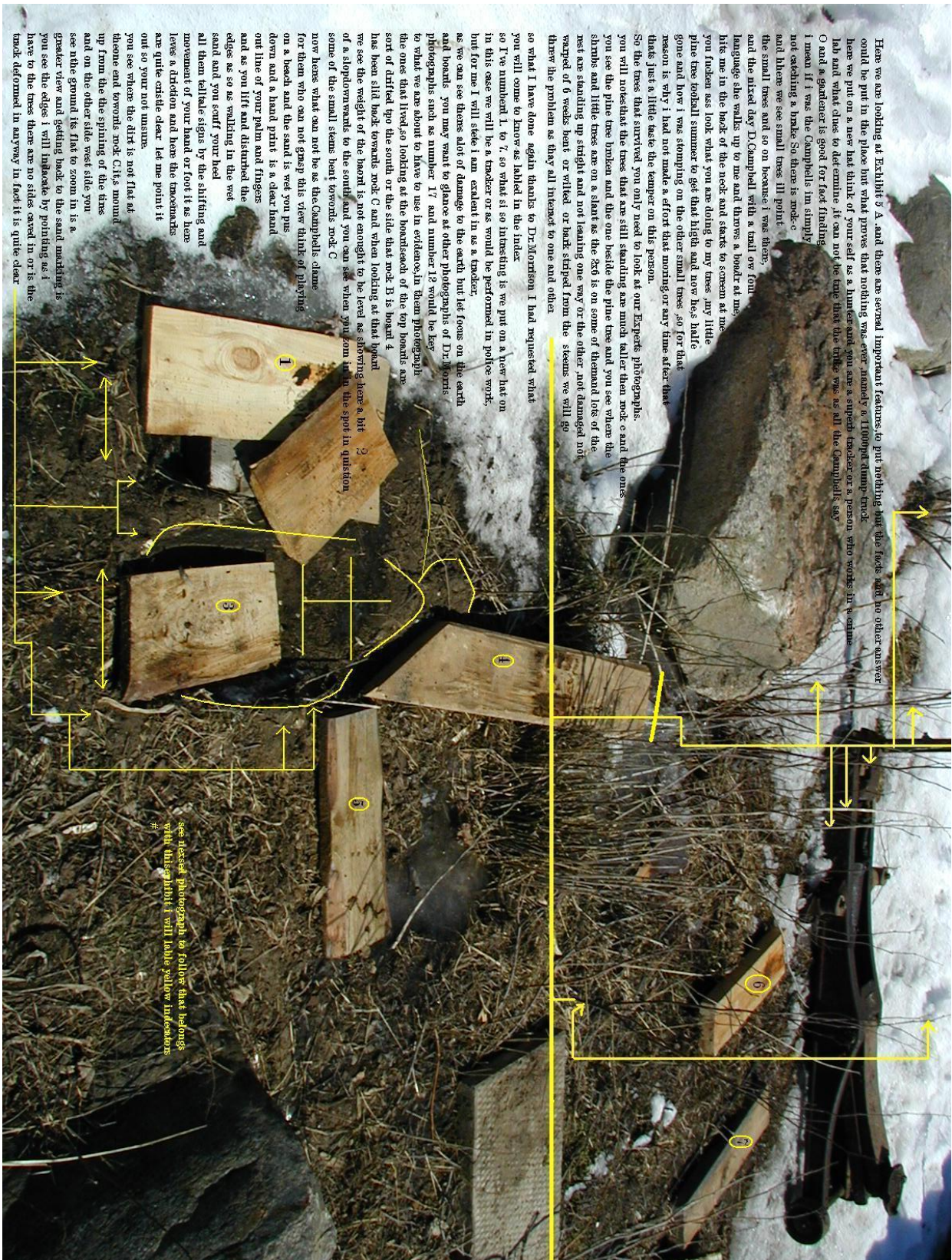


EXHIBIT 5 - A P1010048 MARCH 29 2008
PHOTOGRAPH TAKEN AND SHOWS SMALL TREES 4 TO 5 FEET IN THE AIR





Printed version on Page I-72. Exhibit 5-A

Written on exhibit # 5-A. *On fresh Evidence June 8 2016* Here we are looking at exhibit 5-A and there are several important features, to put nothing but the facts and no other answer could be put in the place but what proves that nothing was, namely, a **11000.lp**. Dump truck, here we put on a new hat, think of yourself as a hunter and you are a suburb tracker, or a person who works in crime lab and clues to determine, it cannot be true that the truck was as all the Campbell say. O and gardeners are good for fact-finding; I mean if I was the Campbell's, I'm simply not catching a brake. So there is **Rock-C**, and here we see small trees I'll point the small trees and so on because I was there and the nixed day D. Campbell of foul language, she walked up to me and throws a board at me hit's me in the neck and starts to scream at me ..you fucken ass look what you are doing to my trees, my little pine tree, took all summer to get that high and now he's half gone and how I was stomping on the other small trees so for that reason is why I had made no effort that morning or any after that ,that's just a little taste the temper on this person. So the trees survived you only need to look at the Experts photographs, you will note that the trees that are still standing are much taller than **Rock-C** , and the one's you see, the pine tree is not broken and the one beside that pine tree and you see where the shrubs and little trees are on a slant as the 2x6 is on some of them and the rest are standing up straight and not leaning one way or the other, not damaged not warped of 6 weeks, bent or wilted or bark striped from the stems ,we will go through the problems as they all interact to one and other .

So what I have done, again thanks to Mr. Morris I had requested what you will come to know as labeled in index,

So I've number 1 through 7 so what is interesting is we put on a new hat on in this case we will be a tracker or as performed in police work, I will say this I'm an exhalent tracker, as we can see there are a lot of damage to the earth but let's focus on the earth and boards you may want to glance at other photograph of Mr. Morris ,photograph such as # 17 and # 12 would be key to what we are about to have to use in evidence ,in them photograph the ones that lived , so looking at the boards each of the top boards are sort of drifted to the south or the side of **Rock-B**, is board 4, 4 has slid back towards **Rock-C**, and when looking at that board we see the weight of the board is not enough to level as showing here. a bit of a slop down wards to the south and you can see when you zoom in, in the spot, some of the small stems bent towards **Rock-C**.

Now here's what cannot be as the Campbell's clamed for them who can grasp this view, think of playing on a beach and the sand is wet ,you put down your hand print and is a clear hand out-line of your palm and fingers and as you lift and disturbed the edges as you walk in the wet sand and you scuff your heel all them tell tail signs by shifting and movement of your hand or feet as here ,leaves a direction and here are the trace marks are quite crystal clear lit me point it out so you're not unsure.

You see where the dirt is not flat, at the one end towards **Rock-C**, it's mound up from the, the spinning of the tires and the other side west side you see the ground, it's flat, to zoom in is a greater view and getting back to the sand .marking it you see the edge, I will indicate by pointing as I have to the trees there are no sides caved in of is the track deformed in anyway in fact it is quite clear

Printed version on Page I-72. Exhibit 5-A

Respectfully Mr. John B. Atkinson

I-73



I-73-A
Trial Exhibit 5-A-Criminal
Trial page 94 – Para-14 / January 7th 2014

820

Reading from trial transcript on page 94 line 14

Exhibit 5-A Drawn picture of axle on Rock - produced and marked

Exhibit page on 799 Volume Book 2 is labeled incorrect

page 94

EXHIBIT LABEL
☒ Criminal
☐ Family
☐ Civil
☐ Small Claims Court

Exhibit # **5(A)**
Info/Fls # **11-0706**
Date: **JAN 07 2014**
E. J. McLaughlin
(Assistant District Attorney)
D. John A. Atkinson
(Prosecutor)

EXHIBIT LABEL
☒ Criminal
☐ Family
☐ Civil
☐ Small Claims Court

Exhibit # **5(A)**
Info/Fls # **11-0706**
Date: **JAN 07 2014**
E. J. McLaughlin
(Assistant District Attorney)
D. John A. Atkinson
(Prosecutor)

I-73-B
Trial Exhibit 5-A-Criminal
Trial page 94 – Para-14 / January 7th 2014



SECTION J
J-74



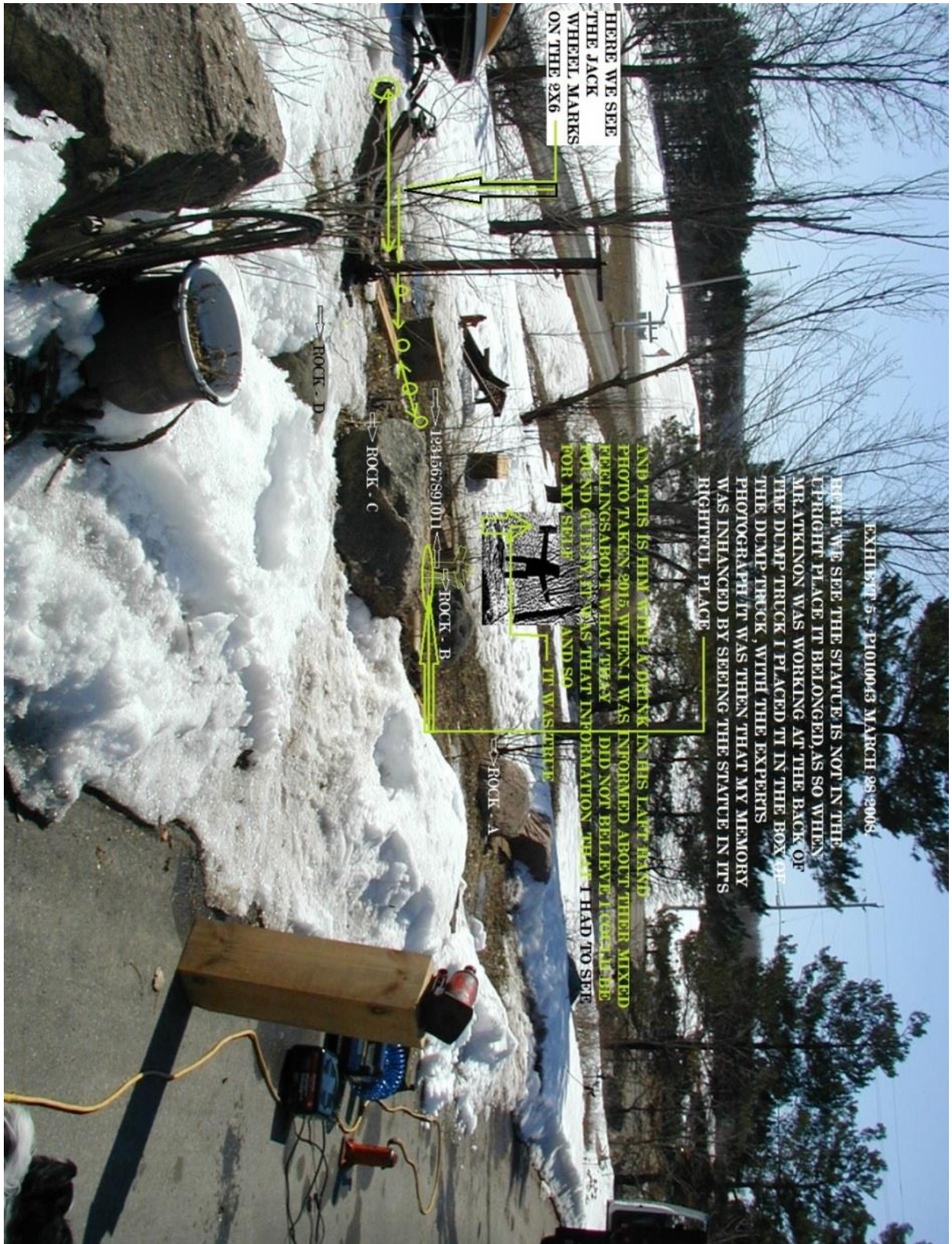
SECTION K
K-75







K-78-A



K-78-B



K-79-A



L-80-A



L-81



L-82



L-83



L-84



M-85-A

P10 EXHIBIT 2 P1010049 DUMPTRUCK 2008 MARCH 29

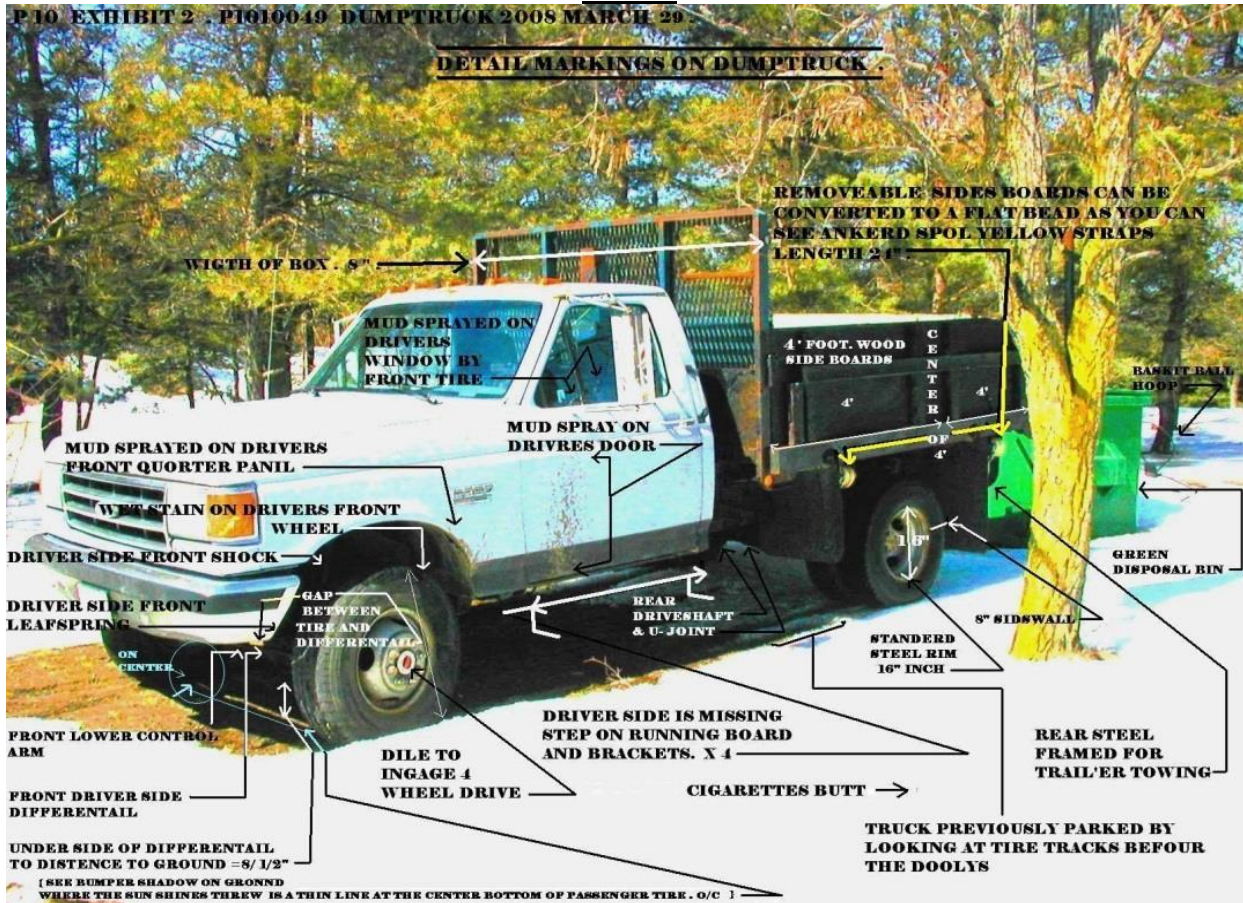


EXHIBIT 2 P1010049

Why reasonable doubt could only be to say this photograph has been altered and entered in as an Exhibit to be used as evidence and one could only come to the conclusion of obstructing justice, and collusion,

It should be understood the professionals to ascertain this evidence, would be the leading Crown In addition,

The Leading O.P.P Investigator, R. Conway.

Let us look at the obvious in this exhibit:

[1] The bodylines all line up

[2] Ms. Campbell is certain this is where the dump truck was previous parked.

SECTION M
M-85-B to C

So here are more to the truth of facts that this exhibit 5- A. Has been altered, this date is **not the true date**, this cannot be changed. But can be cut and **copied and dragged**. When you look at all the date and times some of the settings have been altered and there should be some time in seconds like 12:00:45. But that's not the case.

Let's start with exhibit 2- Camera properties Camera Model: C990Z, D940Z
Equipment Make: OLYMPUS OPTICAL CO. LTD
Date Taken: 3/29/2008 12:00:00. Am
Each one is exact on seconds where there must be 2 two 3 seconds apart of each photo

SO MY TEST IN DOWNLOADING IS AS FOLLOWS

In order #001, #002, #003, #004, #005,

<u>Also as in the same order.</u>	<u>TIME</u>
On download #001. Or Ms. Campbell's printout, p1010040, or in Court Exhibit #3	11:22:21
#002, Or Ms. Campbell's printout, p1010043, or in Court Exhibit #5	11:22:26
#003, Or Ms. Campbell's printout, p1010044, or in Court Exhibit #4	11:22:27
(#004, Or Ms. Campbell's printout, p1010048, or in Court Exhibit #5-A)	11:22:27
#005, Or Ms. Campbell's printout, p1010040. or in Court Exhibit #2	11:22:29

It should be also noted that Exhibit #5-A. May have been actually printed or arranged on
DECEMBER 2014.
WHEN LOOKING AT Month s
CAMPBELL'S PRINTOUT YOU SEE ADJUSTMENTS AND A CALENDER IN THE BACKGROUND.

(NOT SEEN BEFORE Are smaller Pictures that indicate these numbers p1010048)

I have been denied viewing the right to view this disk
To be clearer you see **December, 201?**

Mo Tu We Th

1 / 2 / 3 / 4 /. These dates and day's follow in the year of 2014.
And 2008, it can't be this year because the photo is showing. 201 ???? In P1010048
So now looking at, **exhibit 2**

You see the dump truck the snow the trees the green disposal bin you see the basketball hoop laying

By the back of the bin, and the tree curved at the base of the tree.

In exhibit # 3 You **DO NOT** see the green disposal bin; you **DO NOT** see the **basketball hoop**.

What you **DO SEE** is the FRONT OF MY **CADDILAIC facing SOUTH/WEST**.

So this again brings a number of truth's facts and reasonable doubt.

Page 97.line 27

- Q. So let's just go through the pictures. This is one of – I gather that's the dump truck.
A. That's the dump truck, yes
Q. And that, s – where it's position on there is that on rocks or on the driveway?

Page 98,

- A. No so the driveway is in front of the truck in this picture and the truck is parked to the North
On the GRASS

(1)

It's - this is AFTER. I didn't – unfortunately I didn't take a picture of the truck.
When it was stuck on the rocks I only took pictures of the celebration of getting it off the
ROCKS

- Q. Okay. (2)
A. So this picture is afterwards. The rocks are –the driveway is here and there's a rock on
This side of the driveway
Q. So I think what you're indicating, because I have to put it into words. Is that at the
Bottom, off the page, but at
Bottom of the page would be the...
A. The driveway.
Q. Driveway...
A. Correct.
Q. ... And to the left of the page would be the rocks.

- A. well, so the driveway is whatever width the driveway is 8 feet 10 feet width so the rocks are
on the other side of that Whole DRIVEWAY

MR. FAVERI: Okay his Honour wants to

THE COURT: That's okay.

- Q. So the driveway goes up here, so the road, s out here. You can see that the roads out herein
This picture and the house, is over here.
Mr. FAVERI: This next - maybe I'll get this one marked first.

THE COURT: are we at number 2, Madam Clerk?

CLERK OF THE COURT: yes
(3)

EXHIBIT 2 – picture of dump truck off the rocks produced and marked.

- Q. MR. FAVERI: The next photograph shows the truck from the back...
A. Yes.
Q. ... And you see the snowmobile in there.
A. Yes.
Q. And my question of you is the truck in the same position in this picture as the one we just
Marked as Exhibit 2 picture
A. No.
Q. Okay is where the truck is in Exhibit 2 shown in this picture?
A. You see this tree here...

- Q. To the right.
A. ... This tree to the right' on the right hand side of the picture is the same as the tree here.
Q. Oh okay.

THE COURT: so the tree on the right of exhibit 3, as it's going to become is the same tree on the Right of exhibit 2, which is already marked?

(4)

- A. Correct so THE **TRUCK WAS PARKED IN THIS SPOT PREVIOUSLY.**

SECTION N

N-86

Tuesday October 8th 2013

IN FRONT OF JUSTICE C. R. HARRIS
STANDING, WHERE?

Ms. Deborah Campbell Evidence at trial - in - Ch. Mr. Faveri

Page 27 Line 19

- A. ...And he ran back to the house and go the truck – the dump truck keys and got out the dump truck and I'm still – so I'm now- by this point I'm thinking this is very bad idea, and I'm following him back and forth to – try and calm him down, to no avail ,
And – and then the dump – if I can go back to the pitcher I can tell you where the dump truck was when he got into it.

- Q. Sure. Maybe we'll use – the exhibit, I think it was 1-A...

THE COURT: This one here?

- Q. Thanks you. Okay, so we'll use one of these – or maybe I'll...
A. It's the picture - the dump truck is – oh yeah, this one doesn't have it on.

Page 28 Line 1

THE COURT: Do you want a fresh one?

- A. See in my picture...
Q. Yes.
I have a Picture where the dump truck is when he started it...

- Q. Oh, I see
A. ...After the incident - after the pickup was in the ditch and where the dump truck was.

Q. All right.

A. Okay there you go.

Page 28 line 18_____

A. Okay this is the dump truck and this is the original position. Okay?

Page 56 line 29_____

Q. And where - is this picture taken at your home?

A. Yes, this is a picture of the truck positioned on the north side of the driveway after we manipulated it off the Granite Rocks.

Page 57 line 1_____

Q. And When you say the north side of the driveway, that's the usual parking space for the...

A. No, this ...

Q. ...Dump truck?

A. ...Is just on the grass.

Q. Oh, okay. I'll hold that up so Mr. Atkinson's council knows what I'm talking about now, I'll just put that aside. So 3-B also taken by you, and is this looking down the driveway towards the road?

A. Yes, this is looking to the west and shows the picture of the site where the dump truck was positioned before we got it off the rocks

N-87

August 26, 2010

STANDING, WHERE?

Statement of Deborah Campbell

Occurrence: RM10108990

Page.11 Line 21_____

DC: And he said no I'm gonna get the dump truck and I'm gonna pull it out of the ditch so like fine. Anyway, we go...so

"I GO UP AFTER HIM" and I'm thinking this is a really bad...so I'm just...all I'm doing is pleading with him, I'm not yelling or anything

R .V. JOHN ATKINSON
JUSTICE, C.R. HARRIS

ONTARIO COURT OF JUSTICE
WITNESSES: DEBORAH LYNNE CAMPBELL: SWORN

EXAMINATION IN – CHIEF BY MR. FAVERI:
Standing; where?

Page 92 Lline.13

A. So, what happened was he got in the dump truck and started it up and he's still mad at me, so I'm still following him around
Like trying to get him to see reason, and he got so mad at me that that's when he drove the truck right at me.

Q. Okay. Where were you standing?

A. I was on the driveway and he drove the truck ...

Page 92 Line.25

Q. All right. Can you describe where you were standing when John drove the dump truck at you?

A. I was standing on the driveway.

I WAS PROBABLY 15' FEET, FROM THE "HOUSE", AND
THE ROAD,
AND THE DUMP TRUCK WAS – HE HAD HEADED DOWN – HE WAS FARTHER DOWN
THE DRIVEWAY SO HE WAS CLOSER TO THE ROAD THEN ME? I was between - there
was the road and then there was the truck, and then there was me and...

Page 93 line .1

Then there was house. so he was driving the truck towards me I thought I don't know what he's going to do now but may be what I have to do is run down there hill because he's certainly – why would he follow me down the hill. And sure enough he did luckily god put some rocks in the way and the truck got hung up on the rocks and he was unable to go any further the truck was stuck.

Q. I just want to understand - make sure I understand that. So there's the
House, there's you and there's the
Truck, and
The truck is closest to the road.

A. Yes and it's pointed towards the house.

Q. that's what I wanted to make sure I understood

A. I don't think he was planning to hit the house at all, HE WAS
PLANNING TO HIT ME

Q. IF YOU'RE ABLE TO, and you can either do it in terms of giving measurement or pointing to
things in the
Courtroom,

But how close did the truck get to you?

Probably about 10` TEN feet I have these VERY LARGE BOLDERS in my garden and
there's probably
SEVEN OF THEM, and they're BIG they are – some of them - and they are GRANITE ROCKS

Mr. FAVERI: Q. I'm going to change gears again. When you were standing on the Driveway and John drove the dump truck at you, do you think Carl was in a position to see That?

- A. Absolutely, Carl was standing right beside me or near me at that time, because, because Carl Was shocked also by John's sudden anger and when John went out to the truck and drove Away he – we had this discussion which I already told you about where we were saying he Didn't realize, cuz I said to him "why did you let him drink like that, he can't do that" And so Carl said to me "don't worry, I won't let him hurt you," cuz John was jumping up and down He gets quite physical, he jumps up and down and put his fist up, and he puts his fists – and he waves his arms around and he really gets mobile, and Carl kept walking so that he would be between me and John, but not enough to like get John even worse than he was but to try and make sure that I would not be in harm's way. And that was before John drove the dump truck at me cuz we were still talking about the pick-up truck across the street at that point. BUT CARL WAS THERE ON THE DRIVEWAY WHEN THE TRUCK WAS DRIVING TOWARDS ME.

(N-89)

July 22, 2011

I cannot remember, I don't recall, and he must of; And I GUESS....

- Q. I should mention you've got little cards in front of you.
A. I've got a little card here; it's just got dates on it because sometimes I have trouble with
(01)
Remembering dates

- A. He tried to grab the keys and he MUST OF GOT the keys from me

- Q. And you said you can't, I think you said you can't say what he said to you, do you remember what he said to you
(2)
A. I honestly, I don't remember. I just remember that he was screaming. he was swearing, of course,
(3)
And i mean I GUESS ...

- (4)
(5)
A. I don't remember. I think it was just over phone, i can't remember whether a police - I've had plenty of police at my house
-

July 22, 2011 Continued August 17, 2011

Preliminary – In-Ch.

PROCEEDING: DEBORAH CAMPBELL- In -Ch.-John Bliss

The number of times Ms. Campbell... can't remember' or don't recall exactly or little

Recollection or I might have

Page 116 line 13 _____

(N-90)

August 17, 2011

A. I'm not sure what you mean , I have a card that I wrote down all the dates SO THAT WHEN I CAME TO COURT I wouldn't get confused , that's all

Q. I'm asking how you created this. If you had other material that you relied upon Memory and I confirmed them with documents that I have at my house for lots of Different things

Page.117 line 11 _____

Well I didn't make these notes for the purposes of you guys looking at them i made Them for my own self

Page 130 line 23 _____

(1)

(2) (N-96)

A. **I can't remember** when he threatened to – he talked to me on the phone and he - yes, absolutely there was

Page 133 line 23 _____

(3)

(4) (N-97)

I don't remember exactly before that

Page 136 line 20 _____

Q. Did you provide him with any money?

(3)

A. **I MIGHT HAVE.**

Q. did you go meet him anywhere?

(4)

A. **Might have** to give him some money.

Q. Somewhere in...

(5)

A. BUT I DON'T REMEMBER when it was it could of been before **I DON'T REMEMBER** WHEN It WAS

Q But it would of been sometime between the time detective Conway speaks to you about The time that you understand, he gets arrested.

(6)

A. **I DON'T RECALL**

Page 137 line 1 _____

Q. Okay. But if with respect to this last set of charges that's when you're having this communication, it's after the conversation with detective Conway.

(7)

A. I don't remember doing that.

Line 17

Q. And one of the things you did

A. Was to go meet john to give him money

(8)

A. I CAN'T REMEMBER IF THAT WAS BEFORE OR AFTER I TALKED TO DETECTIVE CONWAY

Q. Did you wire him money?

(9)

A. Wires him some money I DON'T REMEMBER but it would be in my records.

Q. Okay did you email him money threw a bank transfer?

(10)

A. No he - I don't REMEMBER.

Q. Again this would be ...

(11)

A. I MIGHT HAVE.

Page 138 line 15

A. That john was threatening me?

Q. Threatening you.... (12)

A. Yeah, probably I did. I don't remember saying exactly what I said then I don't think I have notes about that

(N-91)

July 11. 2011

I WAS STANDING WHERE

Page 144 line 6

Q. NOW, when – going to January 14th of '08 incident his birthday, when you returned home you see john and his buddy Carl is drunk.

A. Yes.

Q. That was your evidence. And they both seemed to be in what you

Described as a

Pretty good mood

A. They were when I first got there they were in a pretty good mood.

Q. And you take a video camera and you record their behaviour.

A. I was taking pictures of the birthday celebration. It's quite common.

Page 148 line 25

Q. So when he comes walking back up the driveway I take it your first reaction is, or he's making a move towards where the other truck is which is-is it in the garage or it's parked along the side of the driveway ?

A. It's not in the garage because it doesn't fit it was parked beside the driveway.

Page 149 line 1

- Q. This is the part of the - you've described the cars that you would park in a parallel fashion.
A. Yes.
Q. Did he have keys, as you understood, with him or did he have to go in to the house and get them?
A. I think he would have to go in the house and get them.
Q. Do you follow him? (13)
A. I honestly **can't remember** what I did exactly.

Line 25

- Q. You have little recollection of those...
A. I don't remember exactly where people were standing while all this was going on.

Line 31

- Q: And while he gets into the truck your figuring this isn't a good idea

Page 150 line 1

- A. Right

Line 8

- Q. And you're trying to reason with him, I take it, as he's getting into the truck.
A. Yes

Line 17

Mr. Bliss Q, with respect to - are you at the window of the truck as he's getting in or what are you doing to try?

(1)

And persuade him that this isn't a good idea?

- A. I honestly **don't recall exactly**.
Q. But the nixed thing, and please correct me if I'm wrong as I put these to you, the nixed thing is he started up the truck and he's driving out.
A. I don't, **I don't REMEMBER** what happened exactly as far as the beginning of the incident
Because I don't
REMEMBER EXACITLY WHERE THE TRUCK WAS PARKED but what I do
Remember is I'm trying to stop him not to do - to convince him this is a bad idea that he turned the truck around and was coming back up the driveway and at that point I realized he's
Going to try and Hit me and so I deeked through the rocks and then

Page 151 line 1

(N-92)

August 17, 2011

- He drove off the driveway towards me and got stuck on the rocks.
Q. So he drives off there's no wards that are exchanged between you and john.
A. What do you mean?
Q. Well you're saying to him this isn't a good idea, he's not responding or screaming back at you.
A. Oh **I imagine** he was, yes.
Q. No, but when you say I imagine he was you don't have any recollection of it do you?
A. I have recollected john's screams in a continuous stream. So if I'm lucky to get a word in edgewise, I'm'
Lucky
Q. With respect to that day, you're assuming in the bases of john's manner of dealing with things that's what he was doing right?
A. That he was doing.

- Q. Well, he wasn't yelling back at you.
 A. Of course, he was yelling.
 Q. Well is that something you recall so something you imagined he was doing based on is past performance?
 A. I remember him yelling.
 Q. Okay so you go and you're standing, as he leaves you're standing at the side of the driveway.
 A. I must be standing close to him when he got into the truck because....
 Q. You keep using words like "must"....

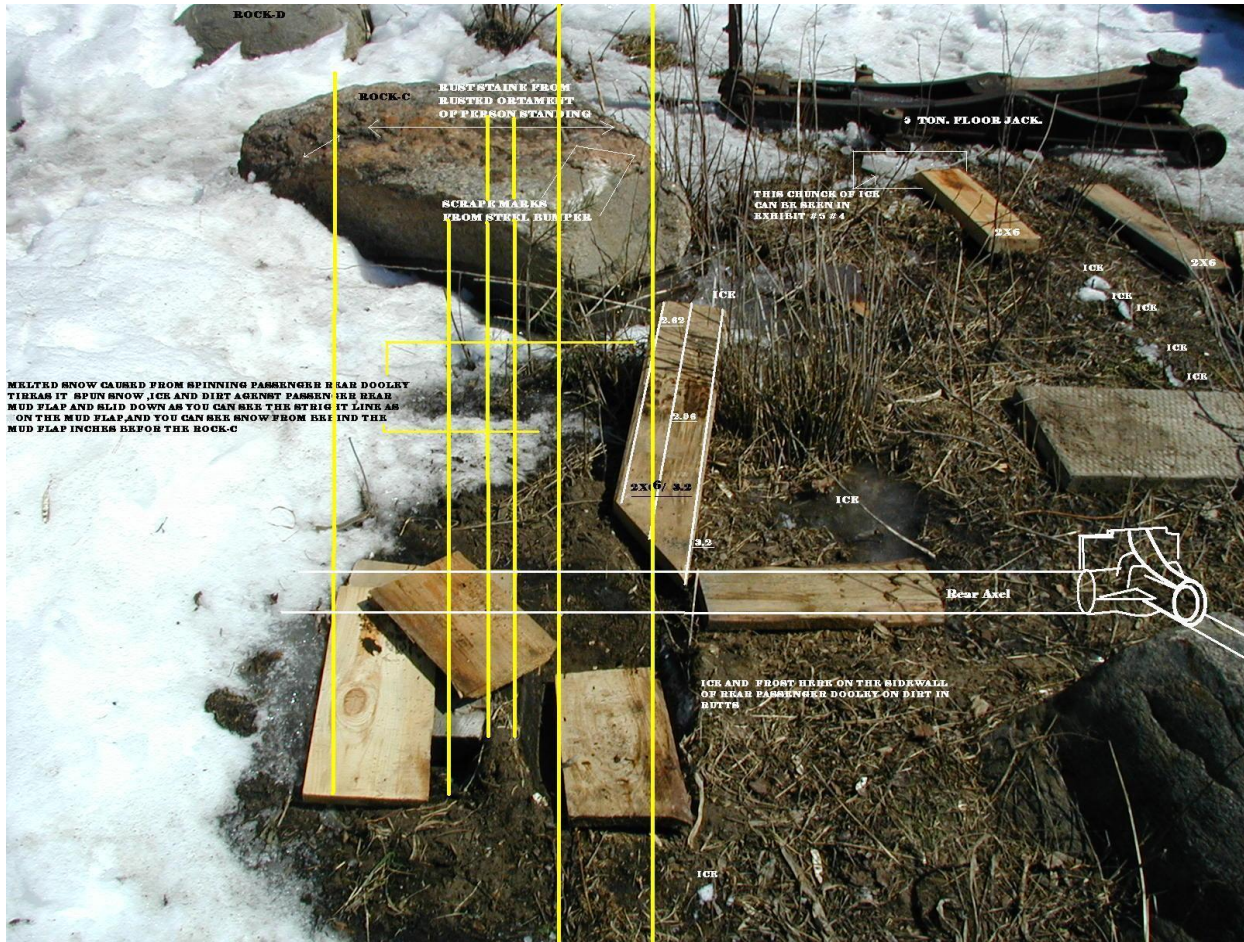
Page 152 line 5

- Mr. Bliss Q. you say "must " you used the words like "must" and" imagine" but what I'm asking you to do is , leave aside what you must have been doing ,what your recollection is, or is it fair to say your last - recollection
 Of that event is of seeing the truck coming back up the drive way and feeling that he was going to drive it at you so you step between the rocks
 A. I ran.
 Q. Okay, that's fine. But that's what you're recollection is of the events of that day.
 A. Yes
 Q. And so he's driving out of the driveway there's no incident between you and he when he's driving at you, correct he's just driving out of the driveway , presumably to go back to the truck that's in the ditch ,right ?
 A. I don't remember that part of it I don't recall that part of it.
 Q. Okay. All you recall you recall is the return that somehow he turns back....
 A. He turned around and came back.
 Q. And come – comes back
 A. Yeah
 Q. And you were still standing in the driveway when he's coming back?
 A. Yes
 Q. And when, after he gets the truck stuck up on the rocks that's when he gets out of the truck, right?
 A. Yes.



SO WHEN MS. Campbell gave her evidence on **July 22nd, 2011** In-Chief by frank Faveri on page 93 line 22 she really was not truthful in fact quite misleading the photo in the nixed page shows 8 to 12 rocks a long stretch from 7 rocks and what is so telling is the fact you can jump from rock this is really important when we need to inspect the photograph 5 – A. In viewing the ruts besides looking to the north side of rock – B and East to ward Rock -

Exhibit 5



Page.93.line 25.

I personally don't think that they're that decorative **BUT THE ROCKS, YOU CAN JUMP**

FROM ROCK TO ROCK IF, YOU'RE A KID. I GUESS you could if you're an adult and you were playful, **BUT THER THAT CLOSE TO EACH OTHER.**

(N-95)

DEBORAH CAMPBELL: SWORN
CONTNUED CROSS – EXAMINATION - BY - MR. BLISS:

JULY 22.2011

PAGE.151.line.24_____

Q. Okay .so you go and you're standing; as he leaves you're standing at the side of the driveway.

A. I must be close to him when he gets into the truck because....

(N-96)

THE DUMP TRUCK...
"PARKED "WHERE"

Page 148.line 26_____

Q. so when he comes walking back up the driveway I take it your first reaction is ,or is he making a move towards where the other truck is – is it in the garage or it's parked along the side of the driveway?

A. it's not in the garage because it doesn't fit it was parked beside the driveway.

Page.149. Line.1_____

Q. this is the part of the - you've described the car's that you would park in a parallel fashion

A. yes

(N-97)

TIME WHEN DEBORAH "GOT HOME" ON JANUARY 14 2008.

JOHN'S BIRTHDAY PARTY

VIDEO STATEMENT OCCURRENCE NUMBER – RM10108990 AUGUEST 26 2010

Page 19 Line 24_____

What time off work?

Time Deborah got off work: six thirty, seven o' clock

DC: well I would've just come home from work; so it would have been like. s-SIX THIRTY,
SEVEN O'CLOCK maybe

Page.32.Line.12_____

DC: Um, it probably ...we ...it would have been around seven o'clock that I had reservations.

DCC: Mm- hmm

DC: and it would maybe have been ...like I... I was starting to get anxious about whether I ...
I should phone and cancel the reservations at least and let them know we weren't coming and
then after, uh, all this happened I decided it didn't matter, the restraint would just have to have
some no shows that night

DCC: Mm – hmm

DC: But anyway, by the time that the tow truck dr-driver came it might've have been nine thirty,

Nine o' clock, nine thirty, I don't remember exactly.

Page .33 Lines 1

DCC: Okay.

DC: I wasn't really paying attention to time to much, but uh, from the time john got in the ca--
...the truck the first time , the ...the green truck and drove back I would've had to wait at
least forty five minutes for the tow truck.

DCC: Mm – hmm

DC: so... so like seven o' clock, eight o'clock, maybe ten o'clock

The dog has passed away and john buries "FRISKEY" the dog

PAGE 43.line 12

DC: and the dog died, she didn't last anothermaybe another hour she lasted. I made him dig a
hole to bury her.

(N98)

ONTARIO COURT OF JUSTICE
Justice C.R. Harris

May 7th, 2014

Page 105 line 8

And then – but the worse part of it was this little last dog that I had was a Papillion and she was
also 7 pounds and she was cute little thing, you know harmless. And he liked to give her a bath ,and he
was always yelling at me about how come I didn't give her enough baths and why was she - was
smelly, and- and the last time she came home , that he came home from jail he complained about her
quite a bit . He didn't want her in the kitchen, he didn't want doing this and you know she wasn't
trained for that she was trained to follow me around, and that's what she did. so he had her in the bath
ONE DAY I was at work ,and I guess she bit him and he showed me a wound so when I come home
from work he says ,"something with the dog" I said what? He said "she bit me" and showed me his
hand, and I go into the house and the poor little thing is practically dead already. But he had taken her
and clumped her with his hand and she I guess hit the back of the bathtub and she was damaged very
badly...

(N-99)

Ontario Court Of Justice
Justice E Meijer

May 7.2014

Page 76 line 27

Q. ***February 14th*** it's your view that Mr. Atkinson is responsible for killing your dog, correct?

A. Absolutely, yes there's no view about it he was absolutely reasonable.

Page 77 line 1

Q. okay, and you were returned home that day on Valentine's Day and Mr. Atkinson showed you a cut on his hand

Correct?

A. yes

Q. Where he said the dog had bit him.

A. right that was outside in the garage and we were standing in the driveway so he was out in the garage when I came home.

Q. okay, and then obviously the dog, was dead right?

A. when I went in she was still breathing,

Q. she was still breathing, I think you said. It's horrible – you'll have to speak up just a little bit especially because of what's happening downstairs, okay?

A. okay so we boxed the dog up in a box so that - for burial nicely and while crying , ,john was crying too after she had died .and then he said \let's go out, I can't stay here .' and so we put the dog dead dog , in a box in the back of a pickup truck and went to a bar so john could have a drink .like what kind of a gut does a thing like that I have to be driving along with a dead dog in my back seat . He says we can't leave her here your parents might see her.' like can you imagine I felt when he did that?

Q. did you try taking it to the vet that day

A. there was no point.

O-100.A

March 19, 2015

John Bradley Atkinson
150 Fuller Avenue
Pentanguishene, Ontario L9M2HN

Attention: John Atkinson

Subject: Vehicle Targeting a Pedestrian on Private Property
Occurrence: January 14, 2008
Location: 1950 County Road 50, Tottenham, ON
Reference: John Atkinson
Your File: CE55400040
Our File: AB40545

Dear Mr. Atkinson:

Thank you for your letter of March 3, 2015. You had requested a number of measurements from the information Arcon had derived. In particular, the request was for measurements of vehicle dimensions, distances between rocks, and distances between Rock C and the wooden planks. The vehicle dimensions were arrived from published information on the vehicle and not from our own measurements. I have attached a set of tables that list all of the measurements that you were interested in. Additionally, I have attached a 1:100 scaled diagram that had printed grid on top - the grid is in 0.5 ft (smallest) cubes and there is a scale measurement for a 10 ft length.

I hope this information is satisfactory. Feel free to contact me if you require any clarification.

Yours very truly,

ARCON FORENSIC ENGINEERS

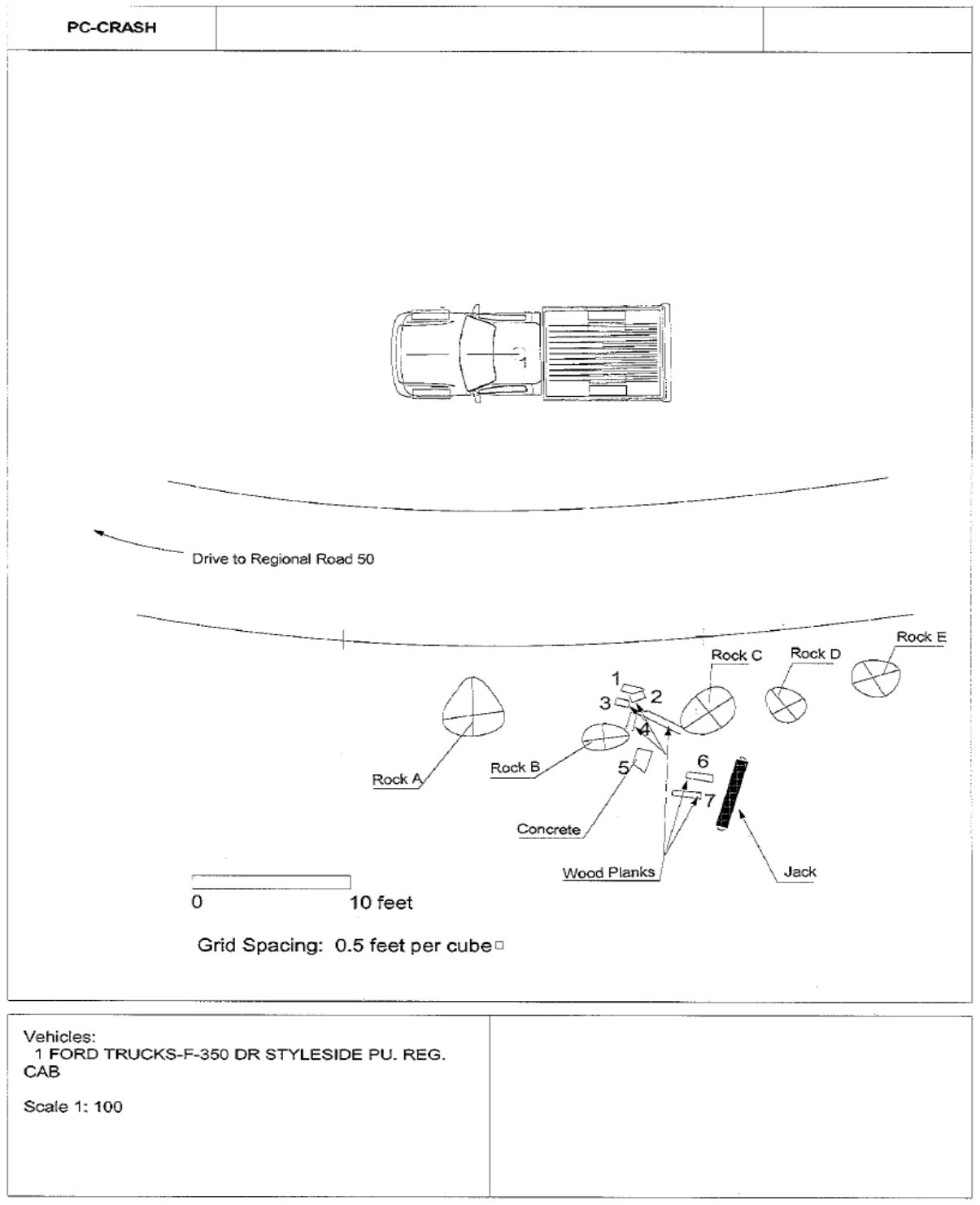


ARM/am

Alan R. Morris, Ph.D., P.Eng.

Arcon Engineering Consultants Limited • 352 Consumers Road Toronto ON M2J 1P8
(T) 416 491 2525 • 888 272 6671 • (F) 416 491 2696 • (E) arcon@arconforensics.com

O-100.B



site and truck 1 imperial.pro - PC-Crash © Ver. 10.0.0.32a - © 2013 DSD Linz, Austria

O-100.C

<i>AB40545-JOHN ATKINSON</i>		
length		Feet
Truck	Wheel base	11.1
	Vehicle length	17.5
	Axle height	1.18 to 1.31

Rock c to wood planks center	Plank #	Feet	
	1	5.05	Center to center
	2	4.68	Center to center
	3	5.49	Center to center
	4	4.9	Center to center
	5	5.41	Center to center
	6	4.64	Center to center
	7	6.09	Center to center
distance		Feet	
Rock A	Rock B	5.08	Shortest distance
		8.34	Center to centre
Rock B	Rock C	3.41	Shortest distance
		6.85	Center to center
Rock C	Rock D	1.98	Shortest distance
		5.01	Center to center
Rock A	Rock C	11.09	Shortest distance
		14.77	Center to center
Rock A	Rock D	16.51	Shortest distance
		19.75	Center to center
Rock D	Rock E	3.28	Shortest distance
		5.99	Center to center
Rock C	Rock E	7.56	Shortest distance
		10.95	Center to center
Rock B	Rock E	14.63	Shortest distance
		17.81	Center to center
Rock A	Rock E	22.05	Shortest distance
		25.52	Center to center
Long plank		Feet	
(Near Rock C)		2.62	Shortest length
		3.2	Longest length

ARCON
FORENSIC ENGINEERS

John Atkinson
1501 Fuller Avenue
Pentaguishene, ON
L9M 2H4

Attention: Mr. John Atkinson

Subject: Vehicle Targeting a Pedestrian on Private Property
Date: January 14, 2008
Location: 1950 County Road 50, Tottenham, ON
Reference: John Atkinson
Our File: AB40545

Date: October 27, 2015
Re: Requested Information

Dear Mr. Atkinson,

This letter and attached disk of photographs is in response to your recent requests for information concerning this investigation that we had performed.

As per the documented rocks (listed A-D), the following list is of rock heights that we have determined based on our investigation:

- Rock A: 0.40 metres
- Rock B: 0.31 metres
- Rock C: 0.28 – 0.37 metres
- Rock D: 0.35 metres

We have attached a disk of images taken from 1950 County Road 50, Tottenham, ON, taken on May 20, 2014.

Yours truly,
ARCON FORENSIC ENGINEERS



Alan R. Morris, PhD., P.Eng.

ARM/arm

P101-(B)



(Added photograph)

	Height	Meters
. Rock A :	0.40	Meters
. Rock B :	0.31	Meters
. Rock C :	0.28-0.37	Meters
. Rock D :	0.35	Meters

Attention: Mr. Atkinson
Subject: Vehicle Targeting a Pedestrian on Property
Dated: January 14, 2008
Location: 1905 County Road # 50, Tottenham, Ontario
Reference: John Atkinson
Our File: AB40545
Date: October 27 2015
Re: Requested information

Dear Mr. Atkinson,

This letter and attached disk of - (18) - photographs is in response to your recent request for information concerning this invitation that we performed.

As per documented rocks (listed A-D), the following list is of rock heights that we have determined based on are investigation: see above

P-101-(C)



SECTION Q
Q-102-32

Reasonable doubt can be, concluded in these visible views:

I can say with certainty, this photograph has nothing to do with JANUARY 14 2008.

1st. Fact, The photograph – **Exhibit 2; p1010049**, You see the Green Disposable Garbage Bin behind dump truck, you should but won't find the Green Disposable Garbage bin in any of the other exhibited photographs

2nd. Fact you see in **Exhibit 2; p1010049** is the Back - Board and the Basketball Hoop ring with no netting attached to the ring

3rd. Fact you see in Exhibit 3. P1010049 the dirt where the truck is parked

4th. Fact you see in Exhibit 3. P1010049 there is no deep snow, much less snow, in front to the dump truck where as in exhibit # **3 P1010040** is much more snow and all other photographs you see the snow is as deep as exhibit **3,4,5,.5-A**

5th. Fact you see in all the other photographs on the north side of driveway, you see the snow-bank where the truck

Would be, backed in.

Here are the facts about this photograph **Exhibit 2. P1010049**

I will Give Evidence - JOHN BRADLEY ATKINSON did take that photograph; I have with a computer did clean up the photograph and we can at any time view evidence in dispute, looking at **E-55- Exhibit 2.**

P1010049 you see the area my spit did land, and where I flung my cigarette and then took this photograph. I am the only smoker in the house, and in photograph G-67 Exhibit 2 you see my travel and my boot prints, and you see no damage to any part of the front of the dump Truck; and the wet stain where the tire went flat (edge of rim to tire tread)

Exhibit 2. P1010049, this mud you see on the driver's door and driver's front fender was of a different year on that day the mud was sprayed on the drivers front fender and driver's door , in fact I was stuck in the mud out in the field, there was some snow built up and long cut trees, by driving over them I managed to get stuck, by opening the door with the truck engaged in 4x4 wheel drive, and the tire spinning is consistent with the spraying marks on the door when a steering wheel would be turned to the right.

The wet stained on the tire on page **E-48 Exhibit 2. P1010049** over a period time the truck when parked the driver's front tire had a slow leak, that is why you see the stain once unstuck I brought the truck up as you see, this truck is parked in its normal parking place for this truck; One of the conditions to be able to have the green bin set where it is, the trucks size would block the bin

I would paint it as it was an ugly color of sun faded aged old green ,covered in black streaks' of shingles being hand bombed into the green bin by pitch-fork .

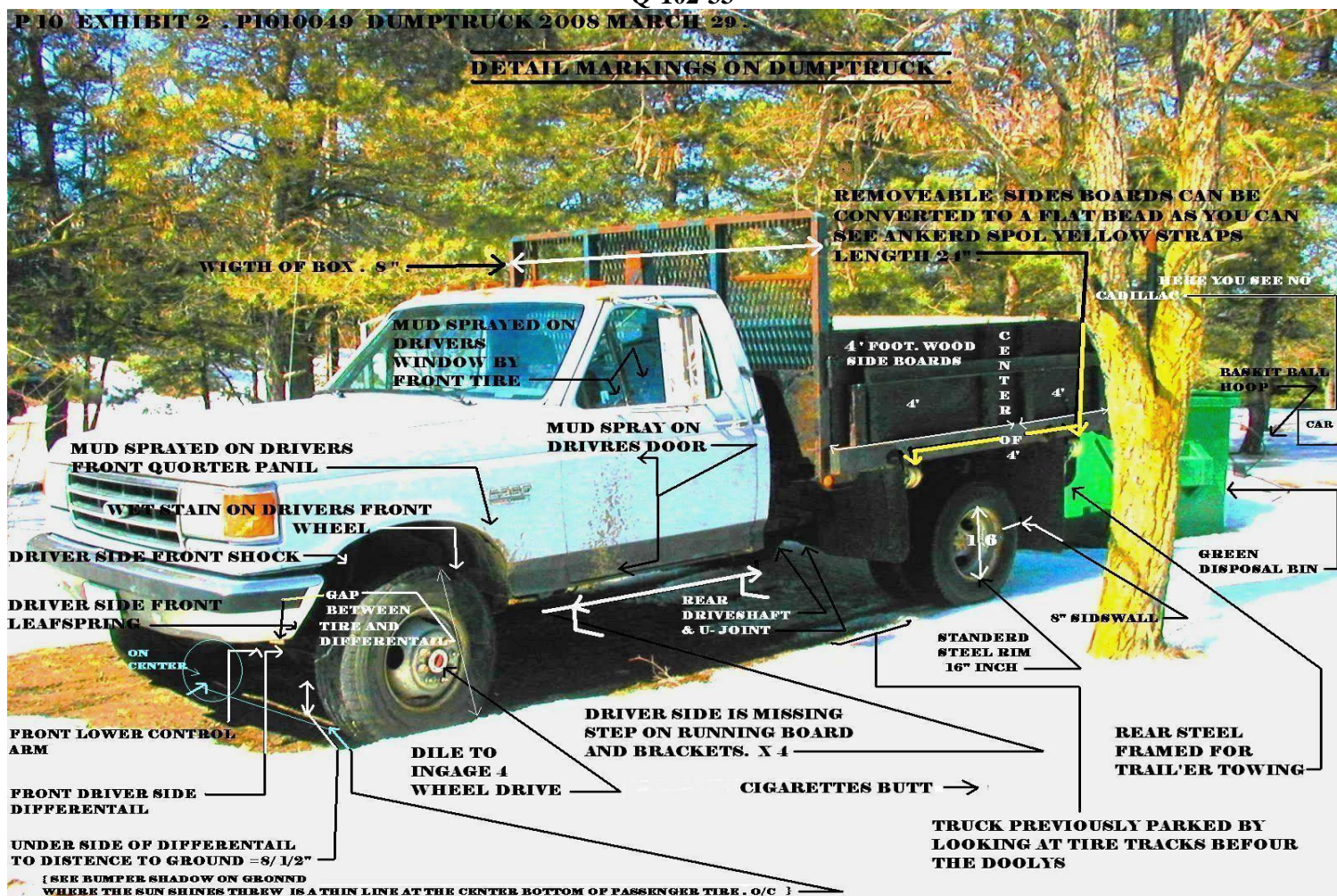
Exhibit 2. P1010049 the running board was in needed of repair. So that is why, I did away with bolts and nuts and had gone to welding all but to the chassis. Those are the facts.

I suspect Ms. Campbell thought she could use this as her evidence at the start-knowing exhibit **5-A** was being held back by the crown or was it ever thought I would fire the lawyer handling the case. This would become a problem once a new lawyer was incoming and I would request this held back photograph. This new, but old photograph would change the whole layout of the story the **[Grand PLAN]** and then changing gears, as the new photograph added much to what could not add up of the crowns witness and that's why today math could never add up and this had to of been understood between them.

After carefully viewing the mess the witnesses

It was a disaster; in my view, Ms. Campbell was able to have two or three versions' at any given time And double talk her way out of one, of her own lies, I was there the night the trucked was backed in, I backed the dump truck in, **Rock -C** or known as exhibit **5-A** is a good starting point,

SECTION Q
Q-102-33



SECTION Q

Q-102-34

hers why, “just for the sake on exploring the truck being as Ms. D. Campbell is saying in her evidence , if it was true to how she had to jack it up to get it off the rocks;

well the truck is already in the air would it not after all she did testified the front was up on top of **Rock-C** she drew the front differential straddled across Rock-C (*Read about Exhibit 5-A. January 7th 2014 Pg.94 para 14*) .now keep in mind the math. Now do the math, and never mind what I say or you say, and she says

We have the numbers

So the trucks up on the **Rock-C**.

And how did it get there

How fast would I have to be going?

what type of damage would have occurred ,

And just what would be damaged

So we have a an major distribution on top of **Rock-C**, you have the truck engine

You have the differential joined to the transmission and joined to the transfer-case

Joined to the differential you have the lower control arm

And ball joints on each end.

And you have your tie rods

And if she was telling the truth then let’s talk about getting the truck down,

Where did she put the jack?

Which jack

What pieces of wood,

You may want to read her formal police video statement near the end of the video,

You see this will be hard to do because the wheels do not line up as she gave the placement of the dump truck

That’s a major problem for her lies, her evidence does don’t fit in the picture or does the math

And why try to make a fool out of yourself, look at the exhibits

The truth is it never happened at all,

But to make the point of what the crown wants us to believe, is absurd as the crown has no evidence to support the crowns case

Okay for the time being

Let us say she did not draw the differential across the **Rock-C**.

and we’ll line it up to the rear wheels so this puts the front drivers tire on the **Rock-C**,

and you have one wheel on the groundhold it we can’t do that because she said she manipulated the front end to enable herself to turn the truck around **180. Degrees** so she must raise the front end of the truck

To still raise the drivers front tire

Q-102-35



Q-102-36

So I've just added this. So before going on let's look at a different possibility,

Just to brain storm this event of the Campbell's

So the truck is on the rock, Rock C. and you have to get the rock under the axle and the front differential is more to the driver's side so from the clearance we know by way of the new evidence by Ford of Canada and the Henry Ford Benson research center I was able to locate

the builders of this truck in question, from center of differential is 6 inches and the axle is 4 inches thick again the math is most beneficial so I will do this to help anyone who may not get the math right the differential is **12** inches and **12** divided into **2 = 6** and the axle is 4 inches and half of **4=2** - the 2 is a total of 4 inches clearance from rock to differential well to my knowledge I don't or the Campbell's have such as jack of **4 inches** and looking in the photographs are nothing of the sort or was the evidence given but only the floor jack and the bottle jack. So we jack up one side of the axle right. No it should be ... hold on, no evidence was given in which direction, left or right direction Jim Campbell turned the **11000 lb.** vehicle, no let's go with Campbell. Because Jim really can't remember in fact he thought it was further down more, any way let's get it up so we know that the rim is 16 inches, we know the tire sidewall is 8 inches so half of **16= 8 + 8 = 16** so the [**rim is 16"**] may be more or less cumbersome so let's go **180 degrees** right and yes if that was the case the floor jack should be at the other end ,she said she moved things around ,but we will talk about how that can't be later on , so the 180dg we go right as we see the as Ms. Campbell indicates why the jack is there and the pieces of 2x6s where she jacked up the front tire yes we have that alignment problem but from rear tire to front and the front tire should be on top of rock c. but let's go to the even bigger problem and again thanks to Ford of Canada, and the Henry Ford Benson Ford research Center to state the fact that the truck is only so wide so I'll do the math and break it down all for the same reasons I indicated earlier, and as sent you can see this for your viewing see Index page to use information on AXEL / TIRE/VEHICLE HEIGHT DATA – F – 350/F-SUPER DUTY CHASSIS CAB.

O-W= outer wheel is **87.4 inches -7' .3' inches** and the front is **67.9 inches** but this it by looking at the bottom left corner page you will see **2** for the rear tires, so the front tire, is a little, but not much to the width of the rear. And this time thanks to MR .**Morris of ARCON Forensic Engineers** which is also to be a part of the FRESH EVIDENCE, hearing, again look at **Index AB40545 – John Atkinson** and I'm going to give you the size of **Rock C.** then judge the width in-between. Rim to rim and Rock C.in the middle.

At center to center from **Rock B to Rock C to Rock D. Rock B to Rock C = 6.85. (6 feet .85)** and **Rock C to Rock D is 5.01. (5feet.01)** and we have edge to edge, **B to C is 3.41** and **C to D. is 1.98.**

And maybe I should add this photograph to give you the perspective in the travel of the truck because there are other problems we will sort out,

Q-102-37



And now you can see the distance

and are able to place the vehicles front, and where they say the rear of the dump truck, and that's by looking at **exhibit 5 A** so the reason , look at this photo is to get the perspective of the angle of the front of the truck

And the full length angle of the of the truck and to line up the rear wheel to the front wheels so before I show you the imposible let me

Add this photograph **EXPERTS, PHOTOGRAPHS JULY 03, 2014 1905 COUNTY ROAD # 50 TOTTON, MONTARIO**

Q-102-38



So what would happen if you took your ruler and did a straight line, let's do that .this now like fitting a box to fit in the shape of a O – in A [square shape] so I think this speaks loudly to the math of the front axle but let's not stop there , so without leaving a trace of all that jacking up and the hours spent ,we should look at Exhibit 5 – A and add a few more lines to get you the perspective I will need to continue so we are all on the same set of numbers AND KEEPING IN MIND WE HAVE NOT ADDED WHAT DR.MORRISON WILL BE ASKED in providing his expertise and I would like to add some of the reasons why the detail is greatly needed in so as I would like to add here so quoted from the Honourable justice E .Meijer's

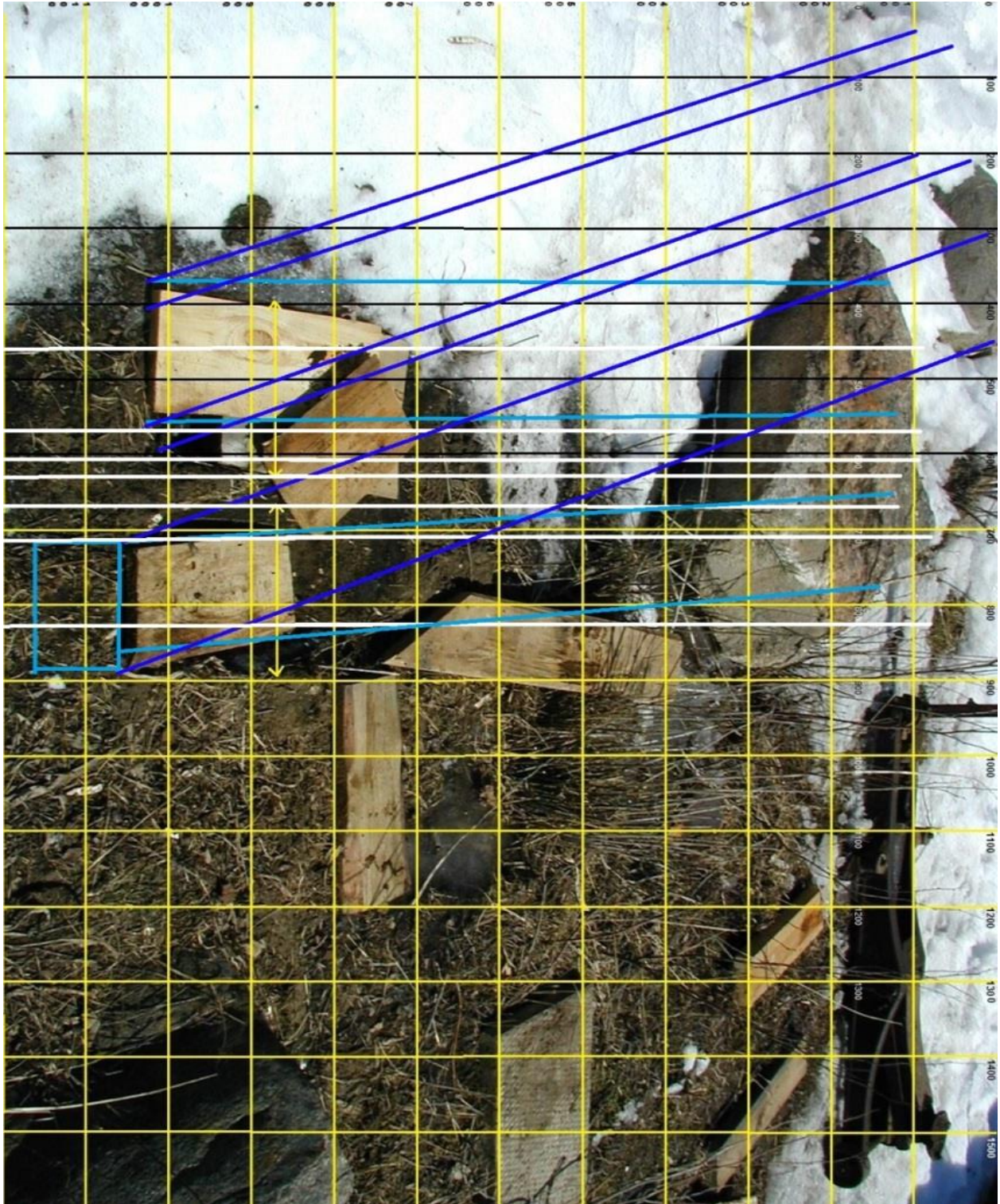
In assessing the credibility of the accused and of all the witness in this matter, I'm considering all of the evidence called .I'm not going to recount all the evidence piece by piece but I have considered all the testimony and submission before me I have now shown the reason that the testimony of Ms. .D . Campbell is fabricated without doing her home work as all in life

SECTION Q
Q-102-39

W <

North

> E



South

Everything around us are equal to numbers before you tell a lie be sure you lie adds up anything less than that is a lie. and your honourable goes on to say...On the periphery of relevance to the main issues before the court I'm attempting to focus on the more relevant or the most relevant which is in my view, relatively clear and straightforward .

And I say again you may not want to believe in me but I stand today and I have been telling you the truth as I have all the other lawyers I simply say do the math and with all due respect I will continue. As I go on and do this, I become quit sad that we had to come to this. On to exhibit 5 A-, I will add a new photograph on the next page.

SECTION Q
Q-102-40



EXHIBIT 5 – A Photograph - P1010048 - 12:00 AM

Q-102-41



SOUTH

Q-102-42

EXHIBIT # 5 – A P1010048 - 2008-03-29 - 12:00.AM

In order to follow the direction of the of the dump truck we'll add a photograph taken by Mr. Morison but for now let's go over what these arrows represent. the three lines with arrows west and east indicate that it's on center there's no question that again no one needs to tell their story ,there's no need for the crown to convince this court and rightly so he must have believed the Campbell's as he did take this case to the end ,after hearing all the evidence, from the start I felt it was completely impossible as do the numbers, and we can put them to this drawing and the Expert , the line between the rear dual wheels is what I felt gave me a margin of few inches and at the same time a overview of rock C .so you see the photograph down below and one of the points I'm showing is the setting of the rock C is in either photograph and because it would not be me who would place the truck in this spot by computer, but you are able to find all the markings and there you have the real view if the truck was parked facing West.,

Why not just jack up the dump truck put the wood under the dual wheels and drive the and drive out, a 180 really for what purpose

Why turn the truck around just jack it up and put wood under the tires and with enough wood you could roll down your ramp

I mean the whole turning around thing just does not make any since, just does not add up and not a trace of evidence to what she states in the snow nothing fits these are all lie's and how does one get away with this I feel I have the right to ask this as this court has found me guilty ,what are the real grounds because the Campbell's can't be supported as I'm proving .

SECTION Q
Q-102-43

EXPERTS, PHOTOGRAPH JULY 03, 2014 1905 COUNTY ROAD # 50 TOTTENHAM ONTARIO

N

EAST

S



West

SECTION Q
Q-102-44

EXHIBIT # 5 – A P1010048 – 2008-03-29 – 12:00.AM



I think I've said that's all that should be said about this photograph,

I will say that throughout from the selected photographs and as such as the birthday videos nothing the Campbell's say adds up mathematically, and other events she says happened, there were real live issues with the

videos and we will get to that and is it now a live issue for when Mr. Atkinson was being Laughed at ,or was **snickered at or smirked at or the grinning**

on the testimony , who would want to stand up to that while giving may evidence, I will not be bullied by the very court that's to up hold the law in the highest regard of the land ,how is it I was attacked at every angle, yet I'm the innocent one, I'm the true victim so moving on to one situation, where is seemed no one was able to get the perspective, in distance , or could they trust to get a measurement from the long board so no one moved on it ,and the judge the crown and all the witness went with the Campbell's from rock c. to rock b. the rut's where the dual had spun to **Rock C** . Was a fair distance, as the back of the truck, so let me add this piece of evidence to, once again do the math, I'll pull up this photograph, with thanks to Mr. Morris this is a photograph and will clear up any confusion about the distance,

EXPERT – WITNESS – PHOHOGRAPH - JULY 03, 2014 1905 COUNTY ROAD # 50 TOTENHAM, ONTARIO



So here we see the tripod, I know this all seems redundant if we cannot use a board that was already at the Scene, we now could use the tripod leg stands to get a distance. Therefore, we now can place the tripod in the spot where the dual wheels were. Now place the front of the dump truck on **Rock C**.

and mark where the back of the dump truck should be this must be done to support the Campbell's Evidence,if we need a **different Expert witness**, give me notice to do so and I will find one, I have a few now in mind as I've been making several phone calls to them who have such a background for each factor in the case

It is my understanding and please correct me if I am wrong, for the record you see **Rock A. from A. to Rock C. is 11` feet 5`` inches** and the trucks overall length is **205.81 inches = 17' 9''**. I am not the sharpest knife in the drawers but I need to look at **exhibit 5. P1010043**

We'll need to go to the nixed page and carry on with this showing of the assessment by the belief that the dump truck did fit as the crown, and O.P.P. said to be true and judge did

and this court would believe the dump truck did face east and as I've always said it's not possible I put it this way because there will be witness who are expert in their own right , I have a police officer, who agrees it is imposable.

In all i have, lawyer's notes, we have a lawyer who was on the case, i have a math teacher i have a guidance councillor i have a keeper from the federal Penitentiary

we have a parole officer, and have and 60 percent of staff have spent a lot of the in the past year with disbelief as to how it could be the truth and the view is crystal clear in the view, and we can get to that later, so let's go to the nixed photograph.

SECTION Q
Q-102-45

EXHIBIT # 5 - P1010043 - 2008-03-29-12:00.AM



just to be on the safe side I've added one other below; so we know where **Rock B** is located so now we can try to get a better understanding of where the front of the dump truck would be, I can't help but notice the trees right beside the rock c. quite tall and straight, And she stated that the dump truck, it was up on that rock for how long, 10 weeks, and the funny thing when you zoom in you see the other side where the Dooley tires were and that tree is clearly bent somewhat to the south-east, we can deal with that later right now we have what the Campbell's all say the dump truck was on top of **Rock C**.

SECTION Q

Q-102-46

EXHIBIT # 4 - P1010044 - 2008-03-29, 12:00.AM



Q-102-47

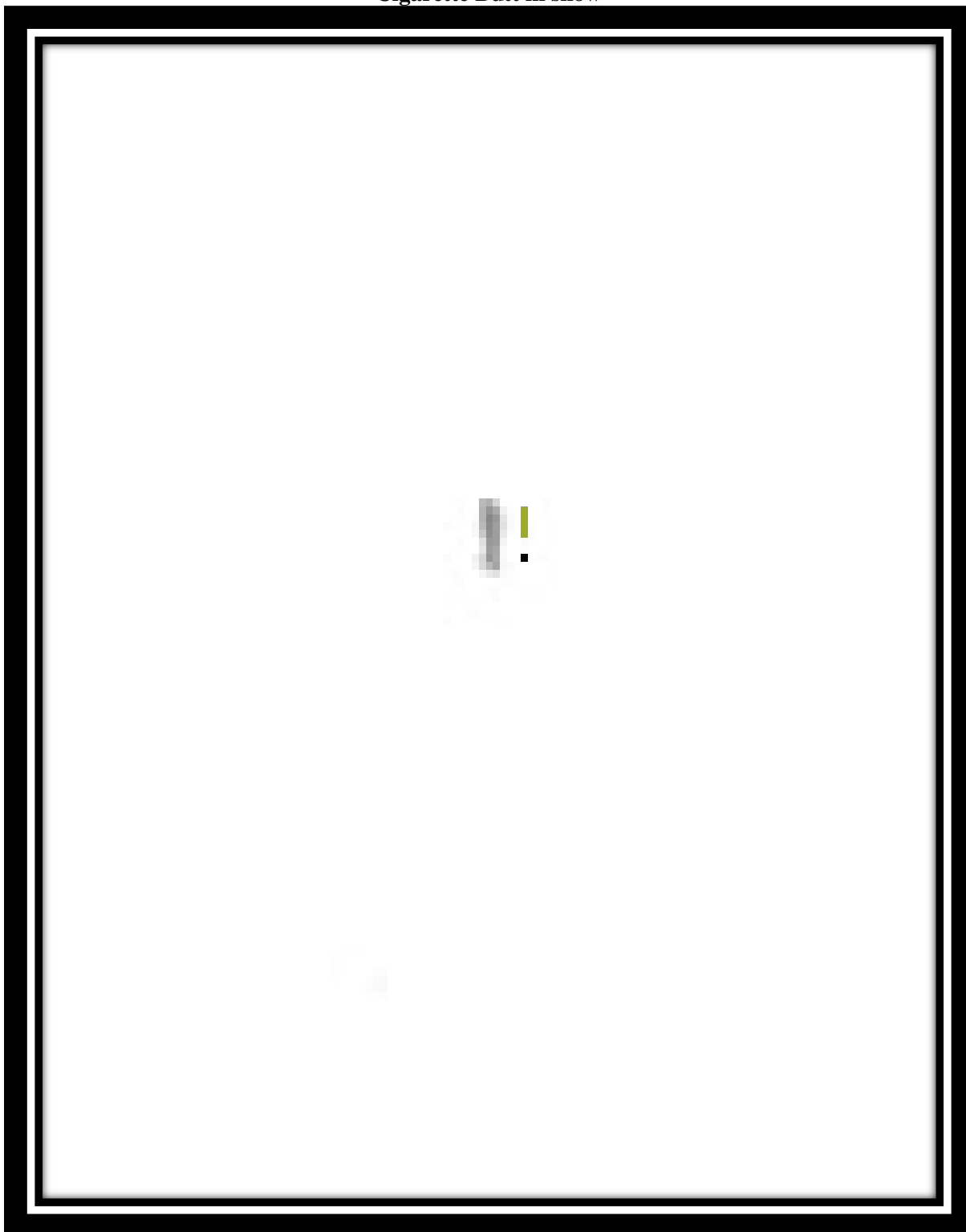


SECTION R
R-103

1905 Country Rd. # 50 full view of Easterly direction



SECTION S
S-104
Cigarette Butt in snow



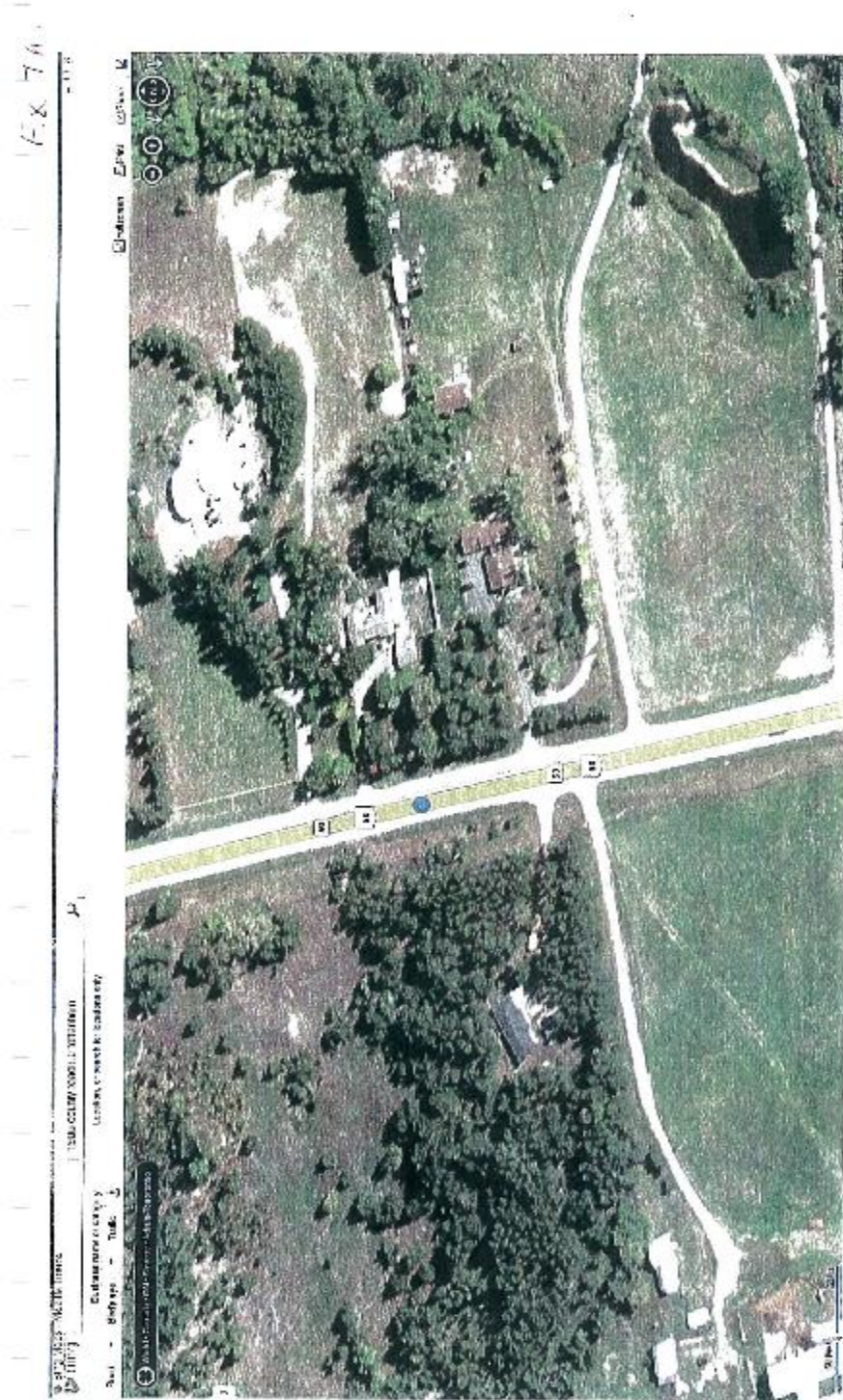
SECTION T

T-105

B / W- Satellite view -1905 country Rd. 50

SECTION U-7A
U-106
Google Earth Images A-B-C

830



SECTION U-7B

832



SECTION U-7B

831

EXHIBIT LABEL	Exhibit # <u>7b</u>
<input checked="" type="checkbox"/> Criminal	Info File # <u>11-0706</u>
<input type="checkbox"/> Family	Date <u>MAY 07 2011</u>
<input type="checkbox"/> CIV	<u>EJMERKERS CO.</u>
<input type="checkbox"/> Small Claims Court	<u>Justice Temp. Judge only</u>
	<u>Deputy</u>
	<u>R vs John Atkinson</u>
	<small>(Print or Pencil)</small>

SECTION U-7C

834



SECTION U-7C

833

EXHIBIT LABEL
☒ Criminal
☐ Family
☐ Civil
☐ Small Claims Court

Exhibit # 70
Info/Case # 11-6706
Date: MAY 07 2011
BY MEZ/MSB CSJ
DeVito (Initials)
John B. Atkinson
(Name of Prosecutor)

SECTION V
V-107

1905 county road # 50 Google map Street view (of hill)

SECTION W
W-108

Calendar-365.com

2010

VIDEO TAKEN

365 January 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1					1	2
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

365 February 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

365 March 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

365 April 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

365 May 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

365 June 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

365 July 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

365 August 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

365 September 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

365 October 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

365 November 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

365 December 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

1 Jan New Year's Day
18 Jan Martin Luther King Day
12 Feb Lincoln's Birthday
14 Feb Valentine's Day
15 Feb Presidents Day
16 Feb Mardi Gras Carnival
14 Mar Daylight Saving (Start)
17 Mar St. Patrick's Day
1 Apr April Fools Day

2 Apr Good Friday
4 Apr Easter
5 Apr Easter Monday
5 May Cinco de Mayo
9 May Mother's Day
15 May Armed Forces Day
23 May Paskacost
24 May Pentecost Monday
31 May Memorial Day

14 Jan Flag Day
20 Jan Father's Day
4 Jul Independence Day
6 Sep Labor Day
11 Sep September 11th
17 Sep Citizenship Day
24 Sep Native American Day
11 Oct Columbus Day
16 Oct Boss's Day

16 Oct Sweetest Day
31 Oct Halloween
7 Nov Daylight Saving (End)
11 Nov Veterans' Day
25 Nov Thanksgiving
7 Dec Pearl Harbor
25 Dec Christmas Day
31 Dec New Year's Eve

SECTION W W-109

365 January 2008 Sun Mon Tue Wed Thu Fri Sat 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31						
365 February 2008 Sun Mon Tue Wed Thu Fri Sat 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28						
365 March 2008 Sun Mon Tue Wed Thu Fri Sat 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31						
365 April 2008 Sun Mon Tue Wed Thu Fri Sat 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30						
365 May 2008 Sun Mon Tue Wed Thu Fri Sat 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31						
365 June 2008 Sun Mon Tue Wed Thu Fri Sat 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30						
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365 August 2008 Sun Mon Tue Wed Thu Fri Sat 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31						
365 September 2008 Sun Mon Tue Wed Thu Fri Sat 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30						
365 October 2008 Sun Mon Tue Wed Thu Fri Sat 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31						
365 November 2008 Sun Mon Tue Wed Thu Fri Sat 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30						
365 December 2008 Sun Mon Tue Wed Thu Fri Sat 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31						

SECTION X
X-110



Date February 19, 2016

Reference No.: 2016-816433

John Atkinson
1501 Fuller Ave.
Penetanguishene Ontario
Canada
L9M2H4

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Hello Mr. Atkinson,

Thank you for your interest in the collections of The Henry Ford. The Henry Ford, accredited by the American Alliance of Museums, is an independent, non-profit, educational institution unaffiliated with the Ford Motor Company or the Ford Foundation.

Enclosed you will find information I found on 1990, Ford F-350 chassis for your reference. I also included the indexes to a couple other manuals we have, but that I didn't think would be of use to you. If however you see something that looks like it would be of interest please let me know.

Thank you again for your inquiry and please let me know if I can be of further assistance.

Sincerely,

Stephanie Lucas
Research Specialist
The Henry Ford
Research.Center@thehenryford.org

20800 Oakwood Boulevard
Dearborn, Michigan 48124-5029
tel 313.271.1620
www.thehenryford.org

SECTION X
X-110

February 24, 2016

Mr. John Atkinson
% Curtis Desroches
1501 Fuller Ave
Penetanguishene, ON L9M 2H4

Dear Mr. Atkinson:

Thank you for your recent contact with the Customer Relationship Centre.

You asked us to provide you with dimensions for your 1990 Ford F-350, Vehicle Identification Number **2FDKF38M2LCA67384**.

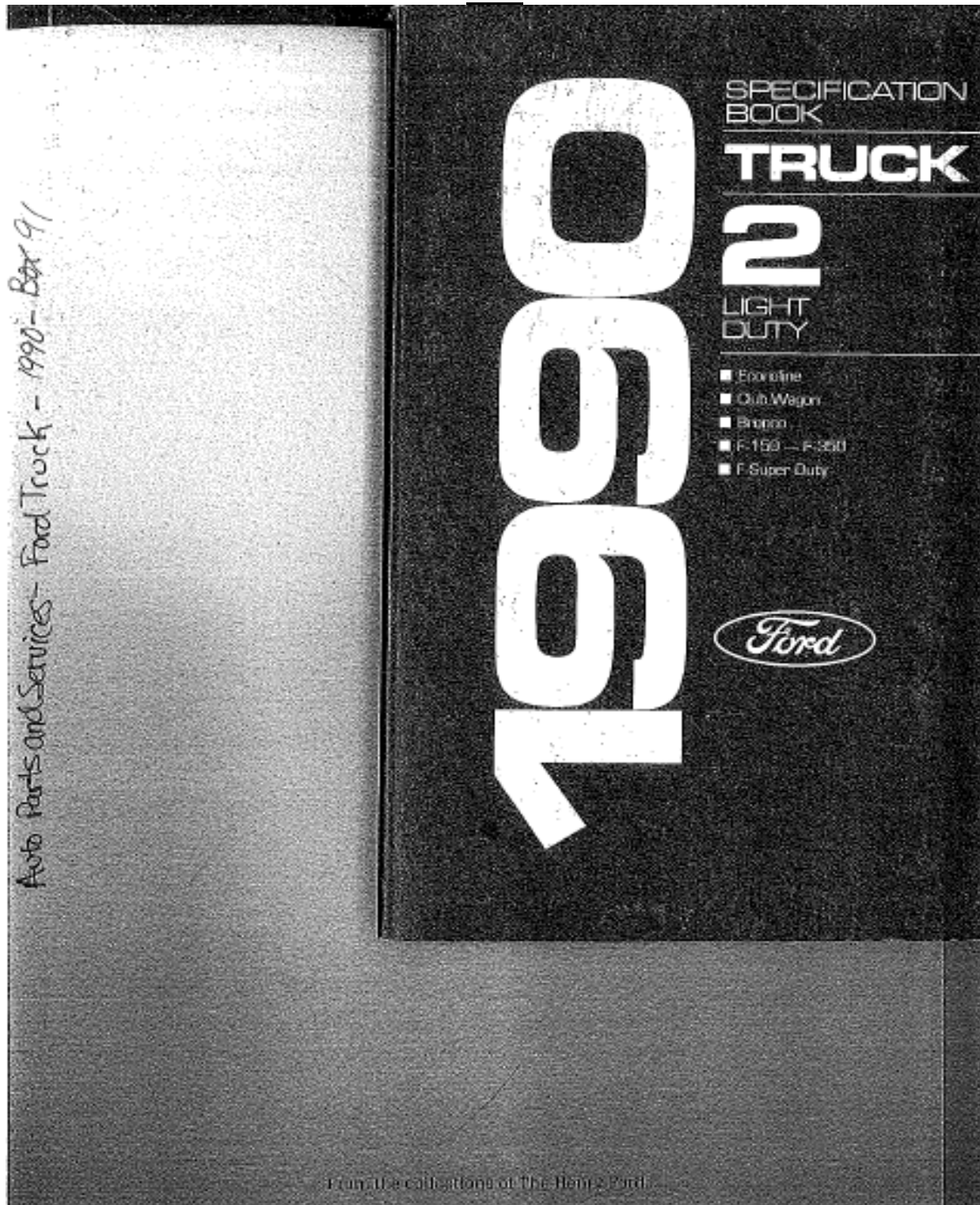
Enclosed is a replication of your vehicle's dimensions; this document is vehicle specific and should not be used as a reference for similar Ford products.

Sincerely,



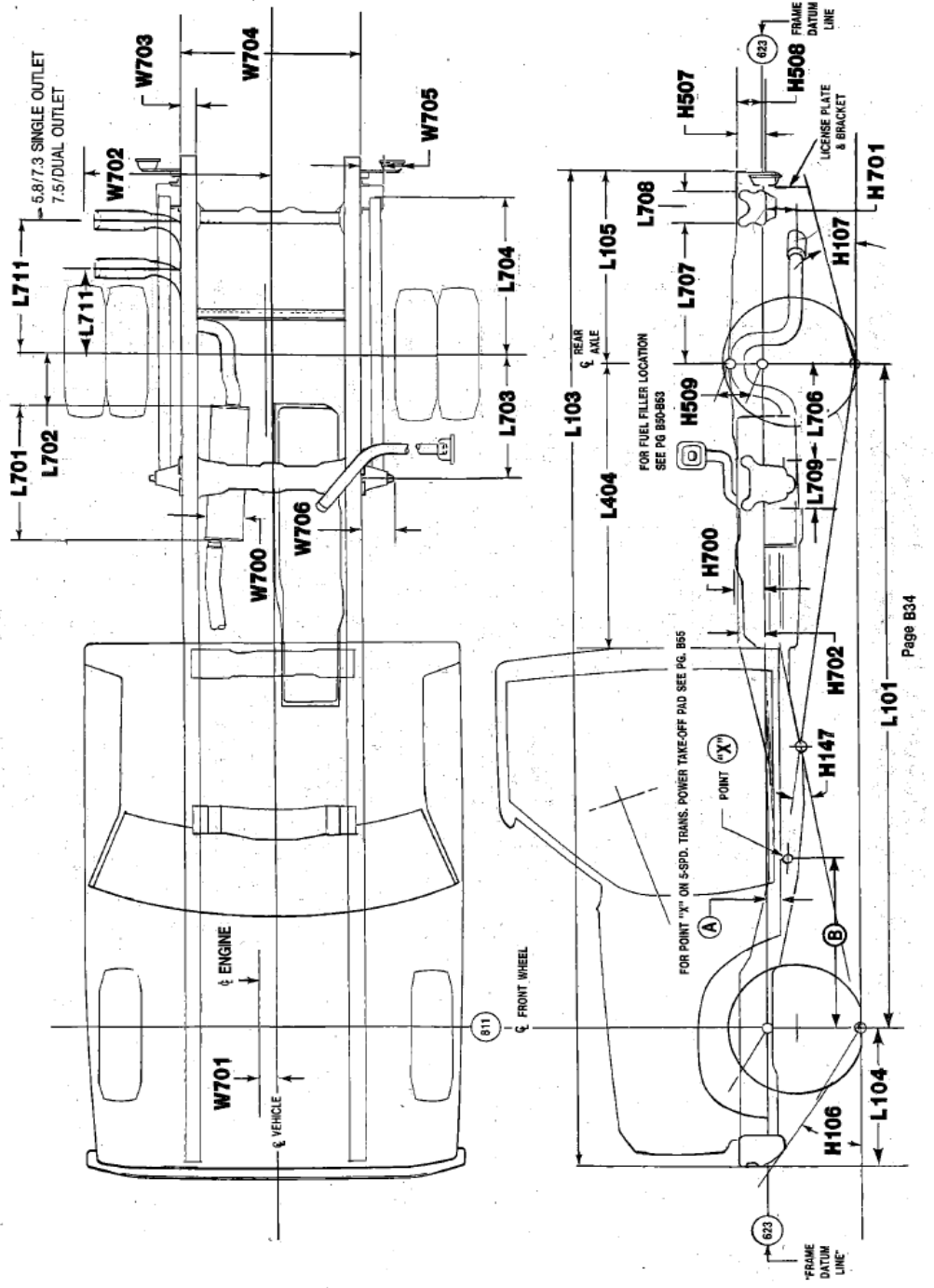
Nigel Dottin
Research Unit Representative
Ford of Canada Customer Relationship Centre

SECTION Y
Y-III



F-350/F-SUPER DUTY CHASSIS CAB — 4x2/4x4

(SEE PAGE BELOW FOR DIMENSIONS)



Page B34

SECTION Z
Z-113

**DIMENSIONAL DATA F-350/
F-SUPER DUTY CHASSIS CAB — 4x2/4x4**

CODE	DESCRIPTION	SRW	SRW	DRW	DRW	DRW	DRW	F-SUPER DUTY (DRW)	
		4x2	4x4	4x2	4x2	4x4	4x4	4x2	
L101	WHEELBASE	133.00	133.00	136.80	136.80	136.80	136.80	136.80	136.80
L103	OVERALL LENGTH	203.88	203.88	205.81	229.81	206.81	229.81	206.81	229.81
L104	FRONT OVERHANG	30.51	30.51	30.51	30.51	30.21	30.51	30.51	30.51
L105	REAR OVERHANG	45.87	45.87	34.80	47.83	36.60	36.50	38.80	38.80
L404	CAB TO C OF REAR AXLE	55.18	55.18	60.00	60.00	60.00	60.00	60.00	60.00
L701	MUFFLER — W14.0L	25.06	25.06	25.06	25.06	25.06	25.0	—	—
	— W16.0L/17.5L	28.0	28.0	28.0	28.0	28.0	30.0	28.0	28.0
	— W17.5L	33.39	33.39	33.39	33.39	33.39	33.39	33.39	33.39
	— W18.0L/17.5L/17.5L	13.19	13.19	13.19	13.19	13.19	—	—	—
L702	MUFFLER REAR — C OF REAR AXLE — W14.0L	13.27	13.27	13.27	13.27	13.27	13.27	13.27	13.27
L703	REAR SPRING FRONT END — C OF REAR AXLE	26.18	26.18	26.28	26.28	26.28	26.28	—	—
L704	C OF REAR AXLE — C OF REAR SPRING SHACKLE	31.80	31.80	30.89	25.89	25.89	25.89	26.80	26.80
L706	C OF FRONT REAR SPRING SHACKLE — C OF REAR AXLE	20.24	20.24	20.10	20.20	20.20	20.20	20.20	20.20
L707	C OF REAR AXLE — REAR SPRING SHACKLE	28.27	28.27	21.83	21.83	21.83	21.83	25.04	25.04
L708	REAR SPRING SHACKLE — REAR	8.42	8.42	7.05	7.05	7.05	7.05	8.81	8.81
L709	REAR SPRING SHACKLE — FRONT	8.84	8.84	8.27	8.27	8.27	8.27	8.81	8.81
L711	C OF REAR AXLE TO C OF EXHAUST PIPE — W14.0L	25.15	25.15	25.15	25.15	25.15	25.15	25.15	25.15
	— W16.0L/17.5L/17.5L	24.88	24.88	24.88	24.88	24.88	24.88	24.88	24.88
W700	MUFFLER DIAMETER — W14.0L/16.0L	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
	— W17.5L/17.5L	8x9 1/2	8x9 1/2	8x9 1/2	8x9 1/2	8x9 1/2	8x9 1/2	8x9 1/2	8x9 1/2
W701	DISTANCE BETWEEN C ENGINE/VEHICLE	1.77	1.77	1.77	1.77	1.77	1.77	1.77	1.77
W702	END OF TAILPIPE C VEHICLE — W14.0L	25.30	25.30	25.20	25.20	25.20	25.20	25.20	25.20
	— W16.0L/17.5L/17.5L	25.16	25.16	25.16	25.16	25.16	25.16	25.16	25.16
W703	FRAME SIDE MEMBER FLANGE WIDTH	2.78	2.78	2.98	2.98	2.98	2.98	4.81 1/2	4.81 1/2
W704	REAR FRAME WIDTH	37.63	37.63	34.03	34.03	34.03	34.03	34.03	34.03
W705	DISTANCE BETWEEN FRAME & REAR SHACKLE	8.89	8.89	8.83	8.83	8.83	8.83	8.45	8.45
W706	DISTANCE BETWEEN FRAME & FRONT SHACKLE	8.85	8.85	5.24	5.24	5.24	5.24	5.88	5.88
H105	APPROACH ANGLE FRONT BUMPER	25.8	43.4 5/8	25.8	25.8	44.3	42.4 5/8	41.0 5/8	41.0 5/8
H107	DEPARTURE ANGLE TO LICENSE PLATE	16.0	21.8 3/4	15.5	15.5	22.0	22.2 3/4	19.8 3/4	16.8 3/4
H147	RAMP ANGLE	23.7	24.1 4/7	22.8	22.8	26.6	20.4 4/7	20.8 4/7	17.4 4/7
H507	FRAME HEIGHT	6.71	6.71	5.63	5.63	5.63	5.63	5.71 3/4	5.71 3/4
H508	FRAME DATUM TO TOP OF FRAME	4.86	4.86	4.85	4.85	4.85	4.85	4.89	4.89
H509	FRAME DATUM TO TOP OF FRAME AT R/L AXLE	6.38	6.38	6.38	6.38	6.38	6.38	6.42	6.42
H700	TOP OF MIDSHIP FUEL TANK — FRAME DATUM	4.89	4.89	4.48	4.48	4.48	4.48	4.48	4.48
H701	C OF OUTLET PIPE — FRAME DATUM — W14.0L	8.89	8.89	8.89	8.89	8.89	8.89	8.89	8.89
	— W16.0L/17.5L/17.5L	8.83	8.83	8.83	8.83	8.83	8.83	8.83	8.83
H702	FRAME DATUM TO TOP OF FRAME	4.86	4.86	4.85	4.85	4.85	4.85	4.89	4.89

NOTE: H101, H107 AND H147 ARE FOR BASE VEHICLES AT DESIGN LOAD.
1/ FRONT BUMPER 3/ LICENSE PLATE
2/ TRANS. OVERHANGER 4/ CATALYTIC SHIELD

5/ MIDSHIP FUEL TANK
6/ LEAF SPRINGS

NOTE: FOR AXLE/TIRE/VEHICLE HEIGHT
DATA, SEE PAGES B45, B46, B47.

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DEARBORN, MI 48124-5000

Diagram illustrating the recommended 2nd unit body tire clearance (wheelhouse) and overall height of vehicle (std. springs). The diagram shows a side profile of a vehicle with various height measurements and clearances indicated. Key labels include:

- OVERALL HEIGHT OF VEHICLE (STD. SPRINGS) - CH
- FRONT WHEEL - F
- REAR AXLE - R
- END OF FRAME (STD. SPRINGS) - LH
- FRAME DATUM LINE
- GROUND
- RECOMMENDED 2ND UNIT BODY TIRE CLEARANCE (WHEELHOUSE)
- SPRING - AA, BB, CC
- TH, TW, H, K, M, OW
- 13 MIN. (5:1) CLR.
- FRAME DATUM LINE
- VEHICLE - FW/RW

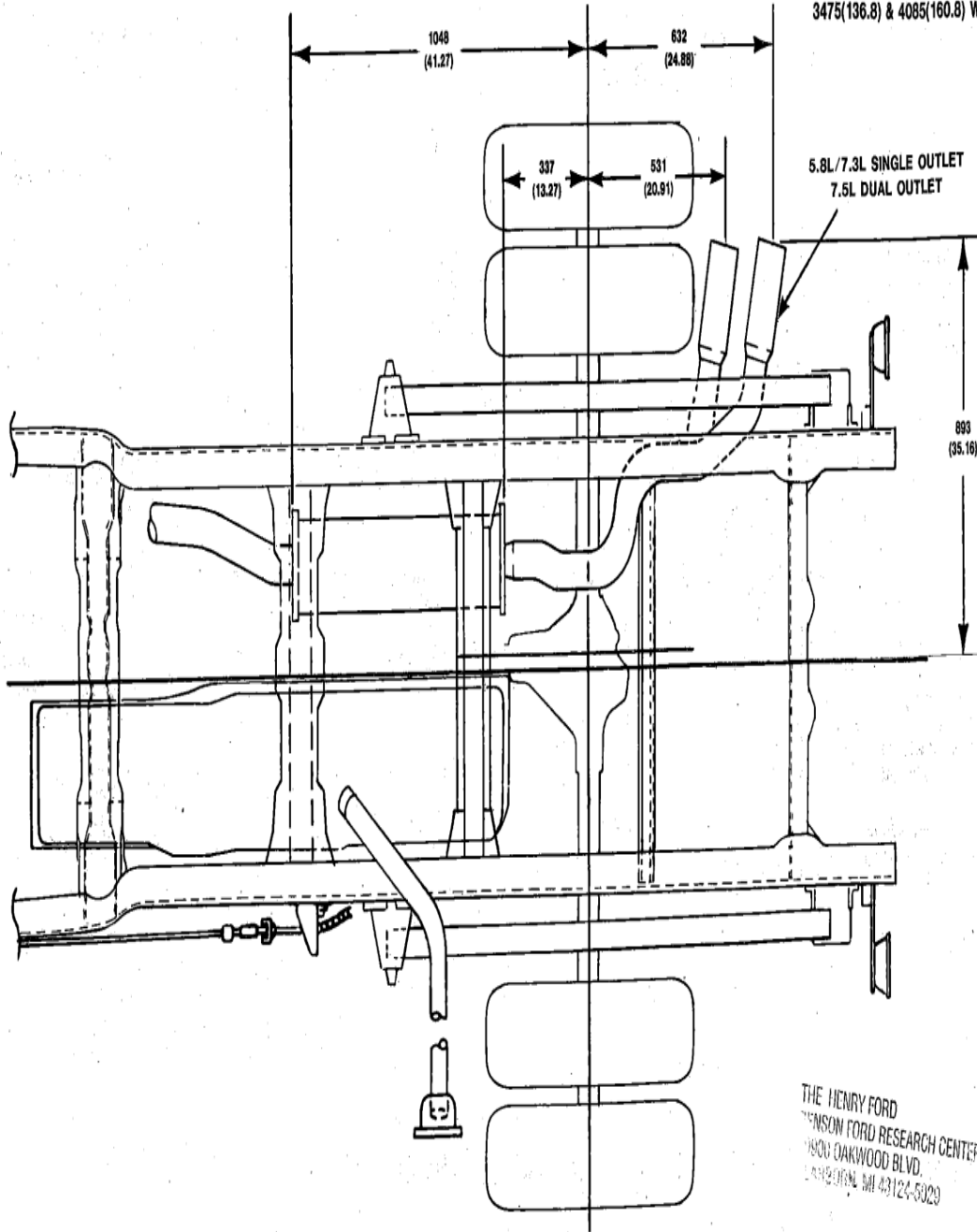
MODEL	W.B.	GYWR	TIRE BASE	"F" Frame Height @ Front Wheel I/			"R" Frame Height @ Rear Axle I/			LH'/'			CH'/'			H	J	K	L	M	AA	BB	CC	FW	RW	OW	TH	TW
				Height at Base Curb Wt.	Loaded Height @ Spring Rating	Std. Spring	Height at Base Curb Wt.	Loaded Height @ Spring Rating	Std. Spring	Empty	Loaded	Empty	Loaded															
F-350 412 Reg. Cab	133.0	8600	LT1215/85R-16E	21.76	19.86	25.46	10.30	26.57	20.40	74.28	70.92			4.29	6.18	6.38	44.54	1.30	9.60	32.26	14.55	65.7	64.3	73.9	15.3	26.3		
F-350 412 Chassis Cab	136.8	10000*	LT1215/85R-16D	21.61	19.45	23.85	20.47	24.49	20.76	73.47	70.80																	
F-350 412 Chassis Cab	160.8	10000*	LT1215/85R-16D	21.57	19.45	23.85	20.47	24.50	20.76	73.45	70.80			5.16	6.46	6.38	40.25	1.30	9.02	30.95	13.92	65.7	67.1 2/	92.2	15.4	23.0		
F-350 412 Duty 412	136.8	14500*	LT1215/85R-16D	21.45	19.45	23.85	20.47	24.42	20.72	73.23	70.72																	
F-350 412 Duty 412	160.8	14500*	LT1215/85R-16E	23.65	22.70	31.07	29.15	31.65	29.70	77.50	75.00			—	—	6.94	41.48	1.09	9.60	32.26	14.55	67.0	69.7	90.0	15.4	23.0		
F-350 414 Reg. Cab	133.0	8600	LT1215/85R-16E	26.29	24.48	29.68	24.44	30.69	24.42	78.67	75.37			1.69	6.38	6.38	44.54	1.30	9.60	32.26	14.55	67.9	64.3	73.9	11.3	26.3		
F-350 414 Chassis Cab	136.8	11000*	LT1215/85R-16E	26.21	24.49	28.34	24.95	28.92	25.08					1.69	6.38	6.38	40.25	1.30	9.60	32.26	14.55	67.9	67.1 1/	87.4	12.2	22.8		
F-350 414 Chassis Cab	160.8	11000*	LT1215/85R-16E	26.21	24.49	28.34	24.95	28.92	25.08					1.69	6.38	6.38	40.25	1.30	9.60	32.26	14.55	67.9	67.1 2/	87.4	12.2	22.8		

1/ -- THE HEIGHT DATA SHOWN REPRESENTS DIMENSIONS OF A NOMINAL VEHICLE WITH NO OPTIONS. ACTUAL HEIGHT MAY VARY DUE TO PRODUCTION TOLERANCES.

*-- DUAL REAR WHEELS.

SECTION Z
Z-115

EXHAUST SYSTEM
3475(136.8) & 4085(160.8) WHEELBASE



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1800 OAKWOOD BLVD.
FARMINGTON, MI 48124-5020

FULL SIZE
LIGHT TRUCKS

Page B49

FORD F-350 DUTLE WHEEL DUMP TRUCK 4X4

THIS COURT WAS NOT ABLE TO EXPLAIN HOW THE DIFFERENCE BETWEEN THIS TRUCK IN QUESTION AS THE QUESTION WAS ALSO PUT TO THE
EXPERT WITNESS: THE CROW DID NOT KNOW, KIMBERLY HYSLOP DID NOT KNOW , AND THE JUDGE ALSO, AND TO MY SURPRISE IT SEEM I DID
KNOW , BUT LET ME DO YOU A SKITCH IN CASE IT'S CONFUSING TO INVISHION

CAR
#

TRUCK
#

CHASSIS OF VEHICLE
WHAT WAY WOULD YOU SAY THIS VEHICLE WAS FACING
VEHICLE # 1

CHASSES OF VEHICLE
WHAT WAY WOULD YOU SAY THIS VEHICLE WAS FACING
VEHICLE # 2

SECTION Z
Z-116

SECTION Z
Z-117

Drinks Sitting on Table – just a sip

SECTION Z
Z-118

AB40545-JOHN ATKINSON		
Length		Feet
Truck	Wheel base	11.1
	Vehicle length	17.5
	Axle height	1.18 to 1.31

Rock c to wood planks center	Plank #	feet	
	1	5.05	Center to center
	2	4.68	Center to center
	3	5.49	Center to center
	4	4.9	Center to center
	5	5.41	Center to center
	6	4.64	Center to center
	7	6.09	Center to center

distance		feet	
Rock A	Rock B	5.08	Shortest distance
		8.34	Center to centre
Rock B	Rock C	3.41	Shortest distance
		6.85	Center to center
Rock C	Rock D	1.98	Shortest distance
		5.01	Center to center
Rock A	Rock C	11.09	Shortest distance
		14.77	Center to center
Rock A	Rock D	16.51	Shortest distance
		19.75	Center to center
Rock D	Rock E	3.28	Shortest distance
		5.99	Center to center
Rock C	Rock E	7.56	Shortest distance
		10.95	Center to center
Rock B	Rock E	14.63	Shortest distance
		17.81	Center to center
Rock A	Rock E	22.05	Shortest distance
		25.52	Center to center

Long plank		feet	
(Near Rock C)		2.62	Shortest length
		3.2	Longest length

SECTION Z
Z-119



H. V. ATKINSON CONTINUED PROCEEDINGS AT TRIAL, AT BRADFORD COURT HOUSE, DECEMBER 9TH 2014.
"I QUOTE" ON PAGE # 167168 . GROWN MR. FAYRE : I'LL JUST STAY WITH THE TRUCK AND THE PLACEMENT OF THE TRUCK AND I DON'T KNOW THE EXHIBIT NUMBERS BUT IT'S THE ONE WITH THE THAT THE EXPERT IN THE GREEN AND PINK DID THE SCENARIOS. THE COURT BE ABOUT 80 OR 90 I THINK MR.FAYRE THANK YOU. AND I THINK YOUR ...PAGE 168... HONOUR HAS ALREADY RECALLED ON THIS, BUT NEITHER ONE OF THESE SCENARIOS IS CORRECT IN THE SENCE THAT WE WILL KNOW NOW. WE DIDN'T BEFORE THAT THE MOST RELIABLE INDICATION OF WHERE THE TRUCK WAS POSITIONED IS THE FOOTPRINT AND NEITHER SCITIONED ONE OR SCENARIO TWO LINES UP WITH THE FOOT PRINT. SO
you can see the well used path they would have had to use as i've pointed out here, as you see all the arrows indicating foot track,foot trail they took to go around the front of the dump truck,you may not beable to say by the foot prints the direction of three trucks was parked, but you can get the idea of the length of the width and the angle that the trucked was parked, but then you start to locate the pieces of wood and you locate where the dule wheels would be just by the ruts, and the planks and this truck having 4 wheels at the rear end you clearly see from that how the direction of the truck could only be the front pointing to the west ,simply put again Ms.Campbell, is not as the crown says could be mistaken . truth in my view this is beyoun reasonable doubt , in my mind into use stronger and a suitable ward is that of a liar.

Written on exhibit # 5-A. *On fresh Evidence June 8 2016* Here we are looking at exhibit 5-A and there are several important features, to put nothing but the facts and no other answer could be put in the place but what proves that nothing was, namely, a **11000.lp**. Dump truck, here we put on a new hat, think of yourself as a hunter and you are a suburb tracker, or a person who works in crime lab and clues to determine, it cannot be true that the truck was as all the Campbell say. O and gardeners are good for fact-finding; I mean if I was the Campbell's, I'm simply not catching a brake. So there is **Rock-C**, and here we see small trees I'll point the small trees and so on because I was there and the nixed day D. Campbell of foul language, she walked up to me and throws a board at me hit's me in the neck and starts to scream at me ..you fucken ass look what you are doing to my trees, my little pine tree, took all summer to get that high and now he's half gone and how I was stomping on the other small trees so for that reason is why I had made no effort that morning or any after that ,that's just a little taste the temper on this person. So the trees survived you only need to look at the Experts photographs, you will note that the trees that are still standing are much taller than **Rock-C** , and the one's you see, the pine tree is not broken and the one beside that pine tree and you see where the shrubs and little trees are on a slant as the 2x6 is on some of them and the rest are standing up straight and not leaning one way or the other, not damaged not warped of 6 weeks, bent or wilted or bark striped from the stems ,we will go through the problems as they all interact to one and other .

So what I have done, again thanks to Mr. Morris I had requested what you will come to know as labeled in index,

So I've number 1 through 7 so what is interesting is we put on a new hat on in this case we will be a tracker or as performed in police work, I will say this I'm an exhalent tracker, as we can see there are a lot of damage to the earth but let's focus on the earth and boards you may want to glance at other photograph of Mr. Morris ,photograph such as # 17 and # 12 would be key to what we are about to have to use in evidence ,in them photograph the ones that lived , so looking at the boards each of the top boards are sort of drifted to the south or the side of **Rock-B**, is board 4, 4 has slid back towards **Rock-C**, and when looking at that board we see the weight of the board is not enough to level as showing here. a bit of a slop down wards to the south and you can see when you zoom in, in the spot, some of the small stems bent towards **Rock-C**.

Now here's what cannot be as the Campbell's clamed for them who can grasp this view, think of playing on a beach and the sand is wet ,you put down your hand print and is a clear hand out-line of your palm and fingers and as you lift and disturbed the edges as you walk in the wet sand and you scuff your heel all them tell tail signs by shifting and movement of your hand or feet as here ,leaves a direction and here are the trace marks are quite crystal clear lit me point it out so you're not unsure.

You see where the dirt is not flat, at the one end towards **Rock-C**, it's mound up from the, the spinning of the tires and the other side west side you see the ground, it's flat, to zoom in is a greater view and getting back to the sand .marking it you see the edge, I will indicate by pointing as I have to the trees there are no sides caved in of is the track deformed in anyway in fact it is quite clear

Respectfully Mr. John B. Atkinson
