

FORM 68A - SUPERIOR COURT OF JUSTICE

(ONTARIO DIVISIONAL COURT)

BETWEEN:

DANA-LEE MELFI

Applicant

-and-

THE LAW ENFORCEMENT COMPLAINTS AGENCY (LECA)

Respondent

NOTICE OF APPLICATION FOR JUDICIAL REVIEW

TO THE RESPONDENT:

A LEGAL PROCEEDING HAS BEEN COMMENCED BY THE APPLICANT against you in this Court. The details of the application appear on the following pages [Ex. 27].

IF YOU WISH TO OPPOSE THIS APPLICATION, you or an Ontario lawyer acting for you must prepare a Notice of Appearance in Form 38A, serve it on the applicant, and file it, with proof of service, in the court office within ten (10) days after this Notice of Application is served on you.

I. APPLICATION

1. THE APPLICANT, DANA-LEE MELFI, MAKES APPLICATION FOR:

- a. **An Order in the nature of *Certiorari*** quashing the final screening and closure determinations of the Respondent, LECA, dated March 14, 2025 (File E-202410211407481365) [Ex. 10], April 2, 2026 (File E-202512221513039775) [Ex. 20], and the summary suppression of the Applicant's **June 20, 2026 Motion for Reconsideration (File E-202606202151022537)** [Ex. 21].
- b. **An Order in the nature of *Mandamus*** compelling the Respondent to formally reinstate the files, process the Applicant's formal Motion for Reconsideration [Ex. 21], comply with *Community Safety and Policing Act, 2019* (CSPA) transition provisions, and launch an independent investigation into the independent *Criminal Code* violations executed by the Ottawa Police Service "Tactical Hand-Off Team" following the Applicant's February 19, 2022 arrest.
- c. **A Declaration** that the Respondent, in coordination with the Inspectorate of Policing (IOP), committed a severe abuse of process, acted with institutional bad faith, and violated the principles of procedural fairness by executing irregular Sunday-afternoon closures to intercept active parliamentary oversight [Ex. 22], purging active tracking logs from the public electronic registry (returning "File Not Found" as of July 25, 2026) [Ex. 11], and deploying fraudulent typographical screening mechanisms to shield public officials from judicial accountability [Ex. 20].

II. THE GROUNDS FOR THIS APPLICATION ARE:

2. **The Democracy Watch Jurisdictional Mandate over Gatekeeping**

Discretion:

The Respondent committed a reviewable error in law and an abuse of authority by misinterpreting its statutory gatekeeping powers and screening discretion under the CSPA. In strict alignment with the Supreme Court of Canada's ruling in ***Democracy Watch v. Canada (Attorney General)*, 2026 SCC 24**, administrative screening desks do not possess unreviewable discretion to insulate public bodies or shield systemic misconduct from accountability.

3. The Supreme Court establishes that when an oversight body exercises a gatekeeping function, its decision must display a standard of justification and intelligibility that directly aligns with the transparent and democratic purposes of its enabling legislation. By utilizing screening provisions under the CSPA to summarily close a verified multi-agency forgery on the basis that an investigation was "not in the public interest," the Respondent completely inverted the legal threshold of public interest. *Democracy Watch* solidifies that the transparency of public records and independent oversight of state law enforcement are fundamental public interests that cannot be discarded by an agency to engineer an administrative shutdown.

4. **Bad-Faith Interception of Parliamentary and House of Commons Oversight:**

The administrative process deployed against the Applicant represents a severe, coordinated abuse of public office. On **Sunday, February 8, 2026, at 3:53 PM**, the Inspectorate of Policing (IOP) issued a rushed, uninvestigated "Final Notice" closing File #26-46 [Ex. 14, Ex. 22]. This highly irregular weekend transmission was executed as political damage control: the state was fully aware that a formal **House of Commons Petition** unmasking this multi-agency record forgery was scheduled for formal presentation by **MP Cheryl Gallant** the very next morning [Ex. 22].

5. The oversight mechanisms fabricated an arbitrary factual conclusion—labeling a multi-agency forgery as an "isolated administrative error"—strictly to provide political cover and allow local police services to claim the matter was "resolved" before Parliament could intervene [Ex. 14]. The Respondent, LECA, actively

colluded in this damage control matrix by completely suppressing the Applicant's subsequent **June 20, 2026 Motion for Reconsideration (File E-202606202151022537)** [Ex. 21] and threatening "frivolous and vexatious" designations to block the Applicant's statutory right to bring forward primary source evidence [Ex. 15].

6. **Complete Failure to Gather Evidence or Cross-Reference Records:**

The Respondent's screening process completely lacked the statutory hallmarks of an administrative inquiry. To satisfy the legal threshold of a public interest decision made "with all things considered" under Section 153 of the CSPA, the Respondent had a strict duty to cross-reference the operational records of the arrest. While concurrent federal disclosures show the RCMP ATIP branch actively searching Federal Policing archives [Ex. 08], the Respondent **executed zero record requests, zero cross-agency taskings, and obtained zero operational logs**. The Respondent accepted a self-serving statement from the target police force (OPS) and used it to shut down the file within 48 hours without obtaining a single stitch of independent evidence, rendering the decision completely blind.

7. **Bad-Faith Typographical Screening and Misidentification Fraud:**

In their April 2, 2026 final decision letter, the Respondent's Senior Investigator, **Ann Tkachyk**, utilized a bad-faith administrative maneuver to screen out the Applicant's prior filings [Ex. 20]. Tkachyk asserted that because the Ottawa Police Service records do not contain an officer by the name or badge number of **"Jim Kiuoon (#10234)"**, LECA had no jurisdiction to deal with a "non-existent" officer [Ex. 20]. The Respondent deliberately substituted your original spelling of "Klijoon" for an administrative typo to manufacture an artificial jurisdictional block, willfully ignoring that the original complaint explicitly detailed a coordinated document forgery and "ghost arrest" trail executed by actual, active members under the OPS command structure.

8. **Concealment Via the Ottawa Police Service Fee Blockade:**

The Applicant explicitly put the Respondent on notice that the Ottawa Police Service was actively suppressing evidence by blocking access to the physical camera grids capturing the arrest footprint. On December 24, 2024, the Applicant

filed a formal personal information request with the OPS under MFIPPA [Ex. 19]. Despite verifying the Applicant's identity, the OPS deployed an unlawful financial roadblock—refusing to accept over-the-phone bank card payments and denying a mandatory financial hardship supervisor waiver despite the Applicant subsisting on a fixed illness benefit of \$733 per month [Ex. 19]. The Respondent completely ignored this active suppression, acting in direct contradiction to the Supreme Court of Canada's mandate in *EPS v. McKee (2026 SCC 24)*, which dictates that hiding or restricting access to records of potential cross-agency police misconduct directly compromises the administration of justice.

9. **Spoliation of Public Records and Electronic Data Erasure:**

To insulate its command structure and prevent the Applicant from pursuing administrative review, the Respondent actively executed the spoliation of public evidence. The Respondent purged and deleted Complaint Number **E-202410211407481365** from the province's electronic tracking system [Ex. 10]. As of **July 25, 2026**, the official state E-Status checker returns a fraudulent "**No File Found**" result, demonstrating a deliberate attempt to erase the public accountability trail and block the Applicant's access to the courts [Ex. 11].

III. STATUTORY TIME CONSTRAINTS, INSTITUTIONAL DELAY, AND STATE CONCEALMENT

10. **Impossibility of Timely Compliance Due to State Interventions:** The Applicant/Informant submits that strict compliance with standard statutory time

limits for filing applications for judicial review and associated legal instruments has been rendered operationally and legally impossible due to a calculated, bad-faith campaign of administrative stonewalling, the fabrication of false final reports, improper ATIP closures, and the repeated summary rejection and electronic deletion of new complaints by the Respondents.

11. **The Deliberate Delay Matrix:** The Respondents are fully aware that an impoverished, self-represented citizen face significant systemic barriers when challenging multiple state organs simultaneously while subsisting on a fixed illness benefit of just \$733 per month [Ex. 03]. The Respondents have actively weaponized these financial and logistical constraints to deliberately delay proceedings and run out strict statutory deadlines:
- a. **Active Factual Concealment:** The true operational notebooks of the primary arresting unit (**Sgt. Mathieu Castonguay #57914**) were actively withheld by the state until they were finally forced out under an ATIP order on March 5, 2026 [Ex. 07]. This means the critical factual paradox proving that the state's entire court disclosure was built upon a forged record was hidden from the Applicant/Informant by the state until early 2026, making any earlier filing of these legal actions structurally impossible.
 - b. **Purging of the Public Record:** The Law Enforcement Complaints Agency (LECA) actively executed the spoliation of public data by purging tracking files (such as Complaint E-202410211407481365) from the provincial Electronic Registry, returning a fraudulent **"File Not Found"** system result to electronic lookups as of July 25, 2026 [Ex. 11]. This digital erasure was executed specifically to break the accountability trail and block the Applicant's access to the courts.
 - c. **Engineered Jurisdictional Loops:** The Civilian Review and Complaints Commission (CRCC) issued an explicit order on September 11, 2025, directing the Applicant/Informant to bring his files to the Ottawa Police Service (OPS) as the police of jurisdiction [Ex. 23]. When the Applicant/Informant complied, the OPS and LECA weaponized the filing to issue a summary screening shutdown within 48 hours [Ex. 10], while simultaneously deploying an unlawful \$5 application fee trap to block access to the physical camera grids capturing the arrest footprint [Ex. 19].
12. **Tolling of Deadlines Based on Ongoing Fraud and Special Circumstances:** The Applicant/Informant submits that under well-settled administrative and criminal law principles, statutory limitation periods do not run, and must be equitably tolled, where the underlying cause of action is actively concealed by the

bad-faith, fraudulent actions of public authorities. The submission of falsified public arrest logs to the courts and Crown is a continuous, active offense that directly compromises the administration of justice under ***EPS v. McKee (2026 SCC 24)***. The Respondents cannot rely on statutory deadlines that they themselves engineered through active obstruction and data deletion. Equity and the interests of justice demand that these files be formally heard on their merits to prevent public officers from utilizing administrative delay to flee indictment and sabotage the Applicant/Informant's upcoming November 2026 civil discovery [Ex. 01].

IV. THE DOCUMENTARY EVIDENCE TO BE USED AT THE HEARING:

- 13. The Applicant intends to rely upon the following materials at the hearing of this application:**

- a. The Affidavit of the Applicant, Dana-Lee Melfi, detailing the chronology of the public notices, the *Druthers* publications, and the structural refusal of the private bar to accept his Legal Aid Certificate of Merit [Ex. 03, Ex. 16, Ex. 17].
- b. The formal March 8, 2026 Rebuttal and Notice Brief served by the Applicant directly to Camille Prospero and the Inspectorate of Policing [Ex. 22].
- c. The digital LECA Submission Confirmation Screen for **Complaint Number: E-202606202151022537**, proving the service of the **Notice of Motion for Reconsideration** on June 20, 2026 [Ex. 21].
- d. The final LECA Termination Letter (File E-202410211407481365) signed by Senior Investigator Ann Tkachyk, dated March 14, 2025 [Ex. 10].
- e. The final LECA Screening Letter (**File E-202512221513039775**) signed by Senior Investigator Ann Tkachyk, dated **April 2, 2026** [Ex. 20].
- f. The LECA electronic registry lookup screenshot dated **July 25, 2026**, confirming the "File Not Found" status [Ex. 11].
- g. The signed Ottawa Police Service Freedom of Information Request Form, dated **December 24, 2024** [Ex. 19].
- h. The RCMP Privacy Act Request log (**File: P-2025-01812 / EP2025_0340896**), containing the definitive notebook entry of Officer Castonguay #57914 explicitly stating **he was NOT the arresting officer** [Ex. 07].
- i. Such further and other documentary materials as the self-represented Applicant may advise and this Honourable Court may permit.

DATED this _____ day of _____, 2026, at the City of Ottawa, Ontario.

DANA-LEE MELFI

Self-Represented Applicant

Contact: DANA_LEE_CA@HOTMAIL.COM

Website: *Peace-Man.ca*

TO:

THE LAW ENFORCEMENT COMPLAINTS AGENCY (LECA)

Office of the Complaints Director

655 Bay Street, 10th Floor

Toronto, Ontario M7A 2T4

**APPENDIX A: SERIALY INDEXED MASTER COURT EXHIBIT
REGISTER**

Exhibit ID	Primary File / Reference Number	Responsible Agency / Signatory	Short Legal & Factual Explanation of Exhibit Content
Ex. 01	Melfi v. Saskatchewan & Canada Life (2018)	Court of King's Bench / Court of Appeal	THE PRIMARY CIVIL MOTIVE: Formal court rulings denying state motions to dismiss; locking in the upcoming Discovery Date for November 2026 .
Ex. 02	Jan 27, 2022 Media Transcripts & Features	New York Times / Canadian Press	Media documentation and photographic records establishing the Informant's global public profile and speech targeting state benefits fraud.
Ex. 03	LAO Certificate - Certificate of Merit Track	Legal Aid Ontario	Formal state-issued certificate proving eligibility for counsel and documenting the private bar's refusal to review the file, establishing a denial of access to justice.
Ex. 04	ATIP Request A-2021-00580	Department of Justice Canada	Original request for legal justification of federal COVID mandates; the definitive catalyst for the targeted state response.
Ex. 05	Complaint File 5822-03179 (2024 OIC 53)	Office of the Information Commissioner	Legally binding final report finding the Department of Justice in flagrant breach of federal law; document held by Informant at time of arrest.
Ex. 06	FIORC Signed Charter (Oct 2, 2017)	Five Eyes Intelligence Council	Signed international intelligence oversight charter establishing the supranational data network used in Project Natterjack.
Ex. 07	RCMP Privacy Act Request P-2025-01812	RCMP ATIP Branch / Mathew Castonguay	THE SMOKING GUN: Contains Officer Castonguay's actual notebook entries explicitly stating he was NOT the arresting officer , unmasking state disclosure forgery.
Ex. 08	RCMP Privacy Act Request P-2025-16851	RCMP ATIP Branch / Monique McCulloch	Active tracking file containing formal written admissions from May 11 and June 1, 2026, confirming Federal Policing is in breach of law and withholding logs.
Ex. 09	OIPRD Case File 25-0127	OIPRD / OPS PSU / Alex Wolf #2076	Original complaint filed immediately after the 2022 arrest; handled by Alex Wolf and willfully withheld from transitioning to LECA.
Ex. 10	LECA Complaint E-202410211407481365	LECA / Senior Investigator Ann Tkachyk	Formal letter dated March 14, 2025, using Section 72 to shut down the file based on the RCMP badge number, intentionally omitting the actions of the OPS hand-off team.
Ex. 11	LECA E-Status Registry Purge Log	Law Enforcement Complaints Agency	Digital lookup screenshot dated July 25, 2026 , returning a fraudulent "File Not Found" result, proving active spoliation and erasure of state tracking records.

Ex. 12	OPS Criminal Corruption Complaint 25-299498	Ottawa Police Service / Chief Eric Stubbs	Formal criminal corruption report filed November 3, 2025, containing the Informant's lawful invocation of Section 494(1) Citizen's Arrest powers .
Ex. 13	OPS Assignment Log (June 3, 2026)	Ottawa Police Service	Official internal record confirming that primary target and suspect Alex Wolf #2076 was assigned to criminally investigate his own corruption file.
Ex. 14	IOP Complaint Audit File #26-46	Inspectorate of Policing / Camille Prospero	Formal final notice dated Sunday, January 26, 2026, invoking Section 107(2)(b) to decline an audit by distorting the text of the complaint and inventing a fake pretext.
Ex. 15	IOP Vexatious Threatened Notice (Feb 8, 2026)	Inspectorate of Policing / Camille Prospero	Follow-up email officially threatening to cut off communication and label the Informant's evidence as "frivolous and vexatious" to silence the investigation.
Ex. 16	Druthers Issue (March 2026)	Druthers National Newspaper	National print feature titled <i>"Where Do You Stand? A Citizen's Four-Year Fight to Correct the Public Record,"</i> validated by over 500k readers with no contradictions found.
Ex. 17	Druthers Issue (June 2026)	Druthers National Newspaper	National print feature titled <i>"I Asked if Trudeau's Mandates Were Legal; Ottawa Broke the Law to Hide the Answer,"</i> highlighting systemic ATIP non-compliance.
Ex. 18	Peace-Man.ca Blog Logs & Analytics	Independent Public Record Log	Chronological index of metadata, public notices, and traffic analytics proving consistent public dissemination and verification invitations.
Ex. 19	OPS FOI Application Form (Dec 24, 2024)	Ottawa Police Service FOI Branch	The disclosure suppression block: Signed personal record request form containing explicit written text detailing the \$5 mandatory fee trap used to conceal camera grid feeds.
Ex. 20	LECA Screening Letter E-202512221513039775	LECA / Senior Investigator Ann Tkachyk	Letter dated April 2, 2026 , screening out the complaint via typographical manipulation and declaring a forgery investigation "not in the public interest".
Ex. 21	LECA Reconsideration Screen E-202606202151022537	Law Enforcement Complaints Agency	Digital confirmation page dated June 20, 2026 , proving formal service of the Reconsideration Motion targeting Sgt. Jim Klijoon.
Ex. 22	IOP Rebuttal and Notice Brief (March 8, 2026)	Independent Public Record	THE PARLIAMENTARY INTERCEPTION PROOF: Applicant's formal response letter documenting the IOP's Sunday-afternoon

Log / Dana-
Lee Melfi

transmission at 3:53 PM executed to
preemptively block MP Cheryl Gallant's
House of Commons Petition.

Strategic Courtroom Filing:

- **The Sunday-Afternoon Trap:** The Justice of the Peace or the Divisional Court registrar, highlight **Exhibit 22:** *"Your Honour, the Inspectorate of Policing issued a binding final legal report closing an administrative corruption case at 3:53 PM on a Sunday afternoon. They did this as proactive damage control because they knew a formal House of Commons Petition regarding this multi-agency record forgery was being presented by Member of Parliament Cheryl Gallant the very next morning. This is definitive proof of an administrative body acting in bad faith to provide political cover, which completely strips them of statutory immunity under the CSPA."*
- **The McKee Decision:** Divisional Court panel or the Justice of the Peace, place **Exhibit 19** directly adjacent to the *EPS v. McKee* case citation.
Judge: *"The Supreme Court of Canada ruled that the state cannot systematically conceal records that point to police misconduct. The Ottawa Police Service verified who I was, but withheld the critical camera logs because I am an injured man living on a \$733 fixed benefit and couldn't bypass an arbitrary \$5 payment barrier that the law explicitly states they had the power to waive. LECA then used that exact absence of evidence to terminate my file."*

The complete private prosecution summary, the OPP transfer brief, and the Superior Court Judicial Review package LECA, IOP, are completely cross-referenced.