Court of Queen's Bench of Alberta

Citation: AVI v MHVB, 2020 ABQB 489

Date: 20200826
Docket: FL03 55142
Registry: Edmonton

Between:

AVI

Applicant

and

MHVB

Respondent

and

Jacqueline Robinson,
a.k.a. Jacquie Phoenix

Third Party and
Unauthorized Alleged Representative

Memorandum of Decision
of the
Honourable Mr. Justice Robert A. Graesser

I. Introduction

[1] Pseudolaw is a collection of spurious legally incorrect ideas that superficially sound like law, and purport to be real law. In layman's terms, pseudolaw is pure nonsense.

[2] Pseudolaw is typically employed by conspiratorial, fringe, criminal, and dissident minorities who claim pseudolaw replaces or displaces conventional law. These groups attempt to

gain advantage, authority, and other benefits via this false law. In ***Meads v Meads***, 2012 ABQB 571 [***Meads***], Associate Chief Justice Rooke reviewed many forms of and variations on pseudolaw that have been deployed in Canada. In his decision, he described populations and personalities that use these ideas, and explained how these "Organized Pseudolegal Commercial Argument" ["OPCA"] concepts are legally false and universally rejected by Canadian courts. Rooke ACJ concluded OPCA strategies are instead scams promoted to gullible, ill-informed, and often greedy individuals by unscrupulous "guru" personalities. Employing pseudolaw is always an abuse of court processes, and warrants immediate court response: ***Unrau v National Dental Examining Board***, 2019 ABQB 283 at paras 180, 670-671 [***Unrau #2***].

[3] To date Canada has weathered two waves of pseudolaw. In the 2000 "Detaxers" held seminars and taught classes on how to supposedly avoid paying income tax, for example by claiming that ROBERT GRAESSER is a legal person and a taxpayer, while Robert-A.: Graesser is a physical human being and therefore exempt from tax: ***Meads*** at paras 87-98. The Detaxers faded away by the end of that decade as their schemes consistently failed, and their gurus were charged, convicted, and incarcerated: e.g. ***R v Porisky***, 2016 BCSC 1757, aff'd 2019 BCCA 159; ***R v Watts***, 2016 ONSC 4843, aff'd 2018 ONCA 148, leave to appeal to SCC refused, 38141 (27 October 2018); Donald J Netolitzky, "The History of the Organized Pseudolegal Argument Phenomenon in Canada" (2016) 53:3 Alta L Rev 609 at 624 [Netolitzky, "History"].

[4] Next came the Freemen-on-the-Land, a group founded by street comedian Robert Arthur Menard: Netolitzky, "History" at 624-27. Freemen claimed that Canadian law only applied to them if they consented to it, and, unsurprisingly, Freemen usually didn't. Unpleasantly, many Freemen turned out to be criminals who decided to "opt out" of being subject to narcotics and firearms legislation, and even prohibitions against sexual assault of children: ***Unrau #2*** at paras 194-198; ***R v Berg***, 2019 ABQB 541. Freeman activity peaked in the early 2010s, and in the following years Freemen were encountered less and less in Canadian courts, at least in part again due to the fact that Freeman pseudolaw was no more successful than the schemes promoted by Detaxers: Netolitzky, "History" at 626-627.

[5] However, the wheel of time grinds on, and so it is not surprising that this new decade has brought with it an emerging and different pseudolaw community, or "movement": ***Meads*** at paras 168-198. Over the past several months judges and officials in Alberta Courts have been receiving peculiar nearly identical "fill-in-the-blank" boilerplate documents with titles like "Notice of Lawful Objection & Declaratation of Standing in Law" [sic] (see Appendix "A") and "Notice of Conditional Acceptance" (see Appendix "D"). These documents are emblazoned with a strange crest titled "Practical Lawful Dissent" (see Appendix "E"). The authors of these items declare that they have sworn an oath of allegiance to Lord Craigmyle of Invernesshire, and say that on that basis they are outside Canadian law. This extraordinary claim is allegedly the result of Article 61 of the 1215 *Magna Carta* and the actions a group of rebel barons whose resistance to Crown treason, strangely enough, began in 2001, almost eight centuries after the death of King John in 1216.

[6] I am one of those document recipients. In my case I received a package dated June 27, 2020 from a person calling herself "Jacquie Phoenix", but whose actual legal name is Jacqueline Robinson. Phoenix/Robinson claims to act on behalf of a mother, "MHVB", thanks to a "Power of Attorney". Phoenix/Robinson's cover letter to the June 27, 2020 document package reads:

Dear Robert A Graesser

This is to inform you that [MHVB] is Lawfully standing under Article 61 of the 1215 Magna Carta which was Invoked on March 23rd 2001 according to Constitutional Royal Protocol. The Court of Queens Bench is an Unlawful Assembly with **No Authority** to deal with this matter since the Invocation of Article 61 thus All Judgments made by the Court of Queen's Bench in this matter are Null and Void. [MHVB] and All of her Property are Protected by the Constitution and the People of the Commonwealth Realm. We require the **Immediate Restoration of Her Property** see the enclosed **Exhibit: G** in the notice of Conditional Acceptance.

Failure to restore the Property of [MHVB] within 7 Days of receiving this letter will constitute as High Treason, which still carries the Gallows. I urge you to consider **Eichmann vs the People** "I was just doing my job' is no defence. **Nuremberg**.

Maxim in Law Ignorance of the Law is No Excuse

Sincerely

Jacquie Phoenix

[Sic.]

"Exhibit: G", MHBV's purported "Property", is the photo of a four-year old girl, presumably her daughter.

[7] The name "Jacquie Phoenix" also appears on other boilerplate documents received by this Court. For example, documents relating to an "Elizabeth Zuk" are signed "P.P. Jacquie Phoenix EZuk [red ink fingerprint]" (or variations thereof). "Jacquie Phoenix" also appears as a witness to documents sent by MHBV to Associate Chief Justice Nielsen and to Lord Craigmyle of Invernesshire.

[8] This decision has two objectives:

1. to reject Robinson's attempt to engage the Court as an interloper in other individuals' affairs, and to evaluate whether additional steps are potentially warranted in response to Robinson's developing misconduct; and
2. to examine and refute the pseudolaw concepts that Robinson is employing, and apparently teaching to others.

[9] I will start by investigating the person who sent me the June 27, 2020 documents: Jacqueline Robinson.

[10] I recognize that it is unusual for the presiding judge to be the investigator in the matter and then to make a decision based on his research. However, I believe it would be a complete waste of judicial resources to require some sort of process to be commenced so that a decision could be made in the "usual" way. Additionally, doing so risks giving credibility to something completely undeserving of attention. The rule of law does not countenance proceedings that are frivolous, vexatious, and an abuse of process, and OPCA litigation falls in all three categories.

II. Jacqueline Robinson a.k.a. Jacquie Phoenix

[11] "Jacquie Phoenix" has been sending documents to Alberta Courts on her own behalf as well. In these documents she self-identifies as "Jacquie Phoenix, Sovereign Woman Living on the Land, Legal Beneficiary / Soul Administrator To the Trust of the Legal Fiction Known as Jacqueline Robinson".

[12] This confusing and nonsensical language indicates that Phoenix/Robinson subscribes to a pseudolaw concept called "Strawman Theory". It is very cult-like and is best equated with works of science fiction. Strawman theory has been described as an exorcism ritual pretending to be law: Donald J Netolitzky, "Organized Pseudolegal Commercial Arguments as Magic and Ceremony" (2018) 55:4 Alta L Rev 1045 at 1069-1078.

[13] This theory is described in ***Meads*** at paras 417-446; ***Pomerleau v Canada (Revenue Agency)***, 2017 ABQB 123 at paras 67-88; and ***Potvin (Re)*** at paras 83-92; 110-120. Strawman Theory purports that people have two halves: 1) a physical "flesh and blood" element that is outside the authority of governments, police, and courts, and 2) the "Strawman", an immaterial legal aspect that is subject to "conventional" authority. There are many Strawman Theory variations. In most the two halves of the duality are identified by letter case and punctuation, where mixed case names are human beings, and all capitals names are the Strawman.

[14] In Phoenix/Robinson's case she is calling her physical half a "Sovereign Woman Living on the Land", and that "Sovereign Woman" is called "Jacquie Phoenix". The Strawman half is "Jacqueline Robinson", a "Legal Fiction" "Trust". "Phoenix" appears to be claiming she is the beneficiary and administrator of this "Trust". These variations on the overall Strawman Theory concept have no legal relevance or merit. As Master Schulz observed in ***Pomerleau v Canada (Revenue Agency)*** at para 83, different versions of Strawman Theory are "nothing but the Strawman tarted up in a new dress."

[15] All this is a whole lot of nothing. Canadian Courts have for twenty years rejected Strawman Theory. It was a keystone of many Detaxer theories and failed: ***Meads***. Robert Arthur Menard promised his Freemen followers they did not have to follow the law - only their "legal fiction" Strawman did. That also did not work. Instead Freemen and other OPCA litigants went to jail (e.g. ***R v Berg***; ***R v Zombori***, 2013 BCSC 2461, aff'd 2016 BCCA 9), lost their homes (e.g. ***Potvin (Re)***, 2018 ABQB 652; ***Knutson (Re)***, 2018 ABQB 858; ***Scotia Mortgage Corporation v Landry***, 2018 ABQB 951), and had access to their children restricted or terminated (e.g. ***CP (Re)***, 2019 ABQB 388; ***ANB v Hancock***, 2013 ABQB 97).

[16] The Strawman duality is so notoriously false that simply asserting Strawman Theory creates a presumption that the person who advances this concept does so in bad faith and for an abusive and ulterior purpose: ***Fiander v Mills***, 2015 NLCA 31 at paras 37-40. The Supreme Court of Canada has repeatedly rejected leave applications based on Strawman Theory concepts: Donald J Netolitzky & Richard Warman, "Enjoy the Silence: Pseudolaw at the Supreme Court of Canada" (2020) 57:3 Alta L Rev 715.

[17] Nevertheless, here in 2020 we find "Phoenix" claiming to administer the Legal Fiction "Robinson" Trust. Hereon I will refer to Robinson by her true name, "Jacqueline Robinson", rather the meaningless alternative persona she has adopted. In any case, for court purposes it does not matter what a person chooses to call themself: ***R v Petrie***, 2012 BCSC 2109 at paras 43-47.

[18] Robinson has been warned about the true state of law in Canada. Legal Counsel from this Court responded to form documents sent to a justice of this Court, noting that these documents appear to invoke OPCA concepts, and recommending that Robinson review ***Meads***. "EZuk P.P. Jacquie Phoenix" responded with threats of "**Full Asset Stripping and Life in Prison**" [emphasis in original], and concluded:

> I realize that you will not recognize my Lawful Constitutional Notices, as you are operating as a Foreign Corporation, which is High Treason Against the People. The Court of Queen's Bench is an Unlawful Assembly with no Authority since the Invocation of Article 61 according to the Constitutional Protocols on March 23rd, 2001. Thus, Meads vs Meads OPCA is null and void.

[19] Robinson is therefore perfectly well aware of what the real law is in Canada, and that in the present day the *Magna Carta* is a historical document with no remaining legal force in Canada (***Meads*** at paras 101, 125-126, 228, 386, 407). She refuses to accept that. Robinson also likely knows that her swearing an oath to Lord Craigmyle of Invernesshire in January of 2019 had no effect on the jurisdiction of Alberta Courts because on December 9, 2019 she was convicted in the Provincial Court of Alberta for *Traffic Safety Act*, RSA 2000, c T-6, s 51(e) (driving without a valid licence) and s 53(1)(c) (operating a motor vehicle with expired licence plates) offenses, and fined $744.

[20] What aggravates Robinson's own conduct is Robinson is now involving others in her legally false pseudolaw schemes. That brings us to MHVB and her purported "property": Z.

III. Alberta Court of Queen's Bench Family Law Action FL03 55142

[21] I am the case management justice assigned to a high-conflict family law dispute that involves a father "AVI", MHVB, "A" who is MHVB's mother, and "Z" - the young girl who is the purported property of MHVB according to Robinson. I have anonymized the names of some individuals to preserve the privacy and personal information of the father and child.

[22] On November 17, 2016, Henderson J on an interim basis ordered shared parenting time for Z, joint decision-making by the parents, and confirmed AVI was a guardian for Z. However, in the fall of 2019 MHVB took Z to the US and did not return Z per the existing court order structure. Z was ultimately returned to Canada with the assistance of US authorities. MHBV is presently facing criminal charges for abduction of Z.

[23] After Z was recovered on November 21, 2019 I, as case management justice, ordered that AVI be the primary day-to-day parent for Z, joint decision-making concerning Z would continue, and that both MHBV and A would have only supervised parenting time with Z.

[24] In Court filings in the family law file and in an emergency protection order file, AVI reports that MHVB has now fired her civil and criminal defence counsel, and has not taken advantage of her parenting time rights with Z in months. Instead, AVI and AVI's lawyer have begun receiving OPCA documents from Robinson, purportedly on behalf of MHVB. Appendix "F" reproduces one such document, where Robinson purports to bill AVI's lawyer $50,000 per day until AVI's "property" (Z) is returned.

[25] On July 24, 2020 AVI applied for and received restraining orders against Robinson and MHVB. Those restraining orders were renewed on August 11, 2020. Neither Robinson nor MHVB attended the August 11, 2020 hearing.

IV. Robinson is Illegally Claiming to Act as MHVB's Representative

[26] The lawyer registry of the Law Society of Alberta does not include a lawyer named "Jacqueline Robinson" or "Jacquie Phoenix". I am satisfied from review of documents sent to the Court by "Jacquie Phoenix" that those documents do not purport that Robinson is a lawyer or otherwise authorized by the *Legal Profession Act*, RSA 2000, c L-8 to represent persons in Alberta Courts.

[27] Instead, Robinson's July 27, 2020 packet includes a document titled "Power of Attorney Contract:" that is reproduced in Appendix "G". This document, signed June 27, 2020, purports to authorize Robinson act on behalf of MHBV. The identity of the "David Robinson" in the title area is unknown. Furthermore, I note that this document is not a "contract" since "Jacquie Phoenix: Robinson" promises to act on MHVB's behalf "for no personal financial gain whatsoever", so there is no reciprocal exchange of consideration between the two parties.

[28] Robinson claims she is authorized to represent MHVB in relation to Alberta Court of Queen's Bench Action FL03 55142. Robinson is wrong. *Legal Profession Act*, ss 102, 106 prohibits any legal representation of natural persons in Alberta Court of Queen's Bench except by lawyers.

[29] Courts across Canada have repeatedly rejected the proposition that granting someone a "Power of Attorney" makes that individual the equivalent of a lawyer: e.g. ***Law Society of British Columbia v Bryfogle***, 2007 BCCA 511 at paras 16-17; ***Facchin Estate***, 2012 BCCA 112 at para 21; ***Perreal v Knibb***, 2014 ABQB 15 at paras 36-39; ***Fiander v Mills*** at paras 8-9.

[30] The *Rules of Court* contemplate a party having a litigation representative, but do not provide that a litigant can appoint their own litigation representative. Rule 2.11 contemplates someone self-appointing as a litigation representative in limited circumstances. For an adult, those circumstances are limited to adults who lack capacity under the *Adult Guardianship and Trusteeship Act*, SA 2008, c A-4.2. There is no indication that MHVB lacks capacity as defined in the *Adult Guardianship and Trusteeship Act*.

[31] This makes Robinson a third-party "busybody" interloper in someone else's affairs. Busybody activity is an abuse of court processes (***Unrau #2*** at para 664), and I find that Robinson has abused the Court by attempting to intrude into the FL03 55142 action.

[32] Further, no one who uses OPCA concepts is a fit legal representative in Canadian courts: ***R v Dick***, 2002 BCCA 27; ***Gauthier v Starr***, 2016 ABQB 213; ***Shannon v The Queen***, 2016 TCC 255; ***R v Ciciarelli***, 2019 ONSC 6719. The fact that Robinson is employing OPCA strategies aggravates her misconduct.

[33] I therefore order that any document that Robinson has directed to the Court, or to AVI, or to AVI's counsel, has no legal effect or relevance, except as evidence of Robinson's abusive litigation conduct, and possibly in relation to MHVB's future status in relation to Z. The following documents will be placed on the FL 03 55142 file, but only for the purpose of documenting Robinson's and MHVB's misconduct:

1. all correspondence from Robinson directed to AVI and AVI's counsel that has been received by the Court, specifically:
    - "Notice of Default and Opportunity to Cure" to AVI's counsel, dated July 26, 2020; and

- "Notice of Implied Rights of Access" to "All Crown Agents", undated;

2. all correspondence from MHVB received by Associate Chief Justice Nielsen, specifically:

   - "Notice of Lawful Objection & Declaration of Standing in Law", dated July 5, 2020 (Appendix "A");
   - "Notice of Default and Opportunity to Cure", dated July 20, 2020 (Appendix "B"); and
   - "Notice of Default", dated August 5, 2020 (Appendix "C"); and

3. all correspondence received by myself from Robinson, specifically:

   - the June 27, 2020 package; and
   - "Notice of Default and Opportunity to Cure", dated July 26, 2020 and an undated "Removal of Implied Rights of Access".

[34] In light of Robinson's illegal attempt to represent MHVB, her busybody litigant status, and Robinson's engaging in OPCA litigation, I further order that Robinson:

1. shall immediately cease purporting to represent MHVB in any capacity;
2. is prohibited from filing, preparing, witnessing, or otherwise formalizing any documents in relation to docket FL03 55142;
3. shall not communicate with the Alberta Court of Queen's Bench in any way in relation to docket FL03 55142, except as indicated below in paragraphs 121-122; and
4. Robinson shall only communicate with the Alberta Court of Queen's Bench using the name "Jacqueline Robinson", and not by using initials, an alternative name structure, or a pseudonym, including the FL03 55142 Action and the docket 2003 12007 restraining order proceeding against Robinson.

[35] I warn Robinson that failing to follow these instructions is contempt of court and may lead to arrest, detention, fines and/or incarceration. If Robinson disagrees with my imposing these binding requirements her remedy is to appeal this decision and my Order to the Alberta Court of Appeal.

[36] I take this opportunity to discuss additional potential prospective implications of Robinson's illegal activities.

V. Pseudolaw Concepts

[37] The documents that Robinson, MHVB, and other aligned individuals have sent to this Court are obviously OPCA materials and attempt to implement a pseudolaw scheme to defeat state and court authority. This particular variation on pseudolaw appears to be new, at least in Canada. This decision is therefore a useful opportunity to investigate, document, and dismiss these *Magna Carta* Article 61 claims as legally false, spurious, and factually absurd.

A. The *Magna Carta* Lawful Rebellion Scheme

[38] First, I will indicate my understanding of what the documents that have been received by the Court from Robinson, MHVB, and others are intended to do, and how they purport to achieve that result. As far as I am aware no court in Canada or the Commonwealth has to date responded to this new OPCA scheme so I will name it "*Magna Carta* Lawful Rebellion" or "MCLR".

1. MCLR Language and Terminology

[39] Many of the terms and much of the language used in MCLR materials is vague, inconsistent, or apparently simply invented out of thin air. I will provide several examples.

[40] Robinson's July 27, 2020 document says "... [t]he Court of Queens Bench is an Unlawful Assembly ..." [sic]. Correspondence from "EZuk P.P. Jacquie Phoenix" says either a court officer or the Court is "operating as a Foreign Corporation". MHVB's "Notice of Lawful Objection & Declaratation of Standing in Law" says all courts are "Private Corporation Businesses ... run by criminally established private corporation enterprise". So, what is it? Are courts an "Assembly", "Foreign Corporation" or "Private Corporation"? Does Robinson know what the words "Assembly" and "Corporation" mean?

[41] Robinson's documents invoke "the Constitution and the People of the Commonwealth Realm". What are these? Is Robinson identifying the Canada's Constitution: *The Constitution Act*, 1982, Schedule B to the *Canada Act 1982* (UK), 1982, c 11? How about the constitutional documents of other Commonwealth nation states? Or is she referring to something else, a universal constitution of all Commonwealth tradition nations? MCLR documents (e.g. Appendix "A") also refer to a "English and Commonwealth constitution". If the latter alternative is what is intended then I have never heard of any such thing. None of the materials received to date from MCLR adherents indicate where the "Constitution" they claim to enforce might be located and read.

[42] Another example is Robinson's materials frequently mention that something called the "Constitutional Royal Protocol" has been "invoked". While that phrase sounds impressive, "Constitutional Royal Protocol" does not appear anywhere in the UK BAILII (www.bailii.org) database that contains hundreds of thousands of reported cases from across the UK and archives all UK legislation. This phrase is also never mentioned in the Australian and New Zealand AustLII (www.austlii.edu.au) and Canadian CanLII (www.canlii.org) court decision and legislation databases. A search of "Google Books" for "Constitutional Royal Protocol" located nothing that related to the UK, the Commonwealth, or Canada. It looks like this phrase was simply made up by the MCLR's progenitors.

[43] As a further example I also checked caselaw databases to validate whether any UK, Australian, New Zealand, Republic of Ireland, or Canadian court had referenced or applied the "Maxim in law: "Any act done by me against my will is not my act"" (see Appendix "D"). Courts in all those jurisdictions had apparently never heard of this "Maxim". That is nothing new, as OPCA litigants make up imaginary "Maxims of Law" all the time: e.g. ***Rothweiler v Payette***, 2018 ABQB 399 at paras 42-50.

[44] Since the language and terminology used in MCLR documents has at best a tenuous relationship to recognized legal or constitutional concepts I am not going to try to structure my understanding of what these materials claim to do in a "conventional" way, but instead use

MCLR adherents' own frame of reference. I caution the reader that this approach does not necessarily make MCLR claims any more coherent.

2. The MCLR Process

[45] The first step in the MCLR process appears to be that the MCLR adherent swears allegiance to a UK nobleperson pursuant to Article 61 of the *Magna Carta* of 1215. MHVB's "Oath of Allegiance" is reproduced in Appendix "H". Curiously, Article 61 was repealed within a short time from the signing of the original *Magna Carta* and was not re-introduced in any of the replacement *Magna Cartas*.

[46] In any event, this step purportedly changes the MCLR adherent's "standing in law" via "lawful excuse" so that the MCLR adherent is no longer subject to legislation, courts, police, or government actors who are guilty of "High Treason" for failing to abide by "Constitutional law" and "Common Law". I note that when OPCA litigants use the term "Common Law" they do not mean accumulated judge-made legal principles that result from court decisions, but instead some kind of obsolete historical past state of law or natural law: ***Meads*** at paras 336-340.

[47] To date all MCLR "Oath of Allegiance" documents have been directed to Lord Craigmyle of Invernesshire. I suspect Lord Craigmyle was chosen by the instigators of this plan because he was one of the peers in the House of Lords who signed a petition to Queen Elizabeth in 2001 in opposition to the UK's ratification of the European Union's ["EU"] *Treaty of Nice*. That Treaty increased the powers of the EU Parliament over the member nations.

[48] Twenty-eight peers signed a petition to the Queen asking her to withhold royal assent from any legislation attempting to ratify the Treaty. They invoked Article 61 of the *Magna Carta*. These peers alleged that the effect of the *Treaty of Nice* was to surrender the British People's powers to the EU. Ratifying the Treaty was characterized as an act of treason. These peers declared themselves to be in "lawful rebellion", acting under the *Magna Carta*. They alleged that the effect of the *Treaty of Nice* was to surrender the British People's powers to the EU. That was characterized as an act of treason. These Lords declared themselves to be in "lawful rebellion". Nothing came of their revolt and the *Treaty of Nice* was ratified by the UK.

[49] I deal with this "rebellion" in greater detail later in this decision. Nothing came of the 2001 rebellion, and the *Treaty of Nice* was ratified by the UK, with Royal Assent as required.

[50] I have seen nothing suggesting that Lord Craigmyle was the instigator of the 2001 petition or the instigator of the rebellion. Why he was chosen by the MCLR adherents is a mystery.

[51] Lord Craigmyle of Invernesshire has no connection to the *Magna Carta*. He is the great-grandson of the first Lord Craigmyle of Invernesshire, who was a politician and judge. The peerage dates to May, 1929. Lord Craigmyle is not descended from any of the rebel barons from 1215.

[52] According to a refreshingly candid interview with Lord Craigmyle on YouTube (https://youtu.be/RevKbM1L981), he didn't know exactly what he was doing when he signed the petition, but thought it might be helpful in the opposition to the Treaty. Since then he has received thousands of letters from people claiming to have sworn an oath to him. He does not know what to do with them. There were at the time, he says, too many to read.

[53] Documents received by this Court from MCLR adherents do not include any correspondence or instructions from Lord Craigmyle.

[54] That would be consistent with Lord Craigmyle's YouTube interview. It is in my view highly unlikely that Lord Craigmyle is the leader of a group of rebels who have sworn allegiance to him. It is highly unlikely that he is aware of what is being done in his name.

[55] I am reluctant to use YouTube, Google and Wikipedia information as legitimate sources of information. They can be sources of illegitimate information. Internet searches are rife with references to Article 61 and promoting disinformation about it and what may have been its first purported use in 2001. Simply type in "magna carta article 61" and follow the numerous links. It would appear from my research that use of Internet tools is the only way of finding information on cult-like groups such as OPCA adherents. Some of my search results are reported later in this decision. Absent any other information from more conventional sources, I must consider what I have been able to glean.

[56] The current Lord Craigmyle enjoys no prominence on the Internet and there is nothing indicating that he is seeking followers, or that there is any particular reason to follow him. There is also no indication that he is living a rebellious life free from adherence to any of the laws of the United Kingdom.

[57] Regardless of any mystery surrounding Lord Craigmyle and his connection with the aftermath of the failed 2001 petition to Her Majesty, a MCLR adherent who has sworn allegiance to Lord Craigmyle then declares their rebellion status by sending a series of documents to court justices, and perhaps other government and state officials. MHVB has so far sent three such documents to Associate Chief Justice Nielsen of this Court:

1. "Notice of Lawful Objection & Declaratation of Standing in Law" dated July 5, 2020 (Appendix "A");
2. "Notice of Default and Opportunity to Cure" dated July 20, 2020 (Appendix "B"); and
3. "Notice of Default" dated August 5, 2020 (Appendix "C").

[58] Summarizing these documents, the "Notice of Lawful Objection" declares that MHVB is no longer subject to conventional legal authorities because they are traitors and quislings who have subverted the true "Common law". MHVB instead has sworn allegiance to UK barons who in 2001 invoked the *1215 Magna Carta*. This first "Notice" gives the recipient 14 days to object to MHVB's "declaration" of rebellion or otherwise demands Associate Chief Justice Nielsen join in the revolt.

[59] The next "Notice of Default and Opportunity to Cure" document gives the Associate Chief Justice an additional ten-day window to acknowledge MHVB's status and the illegality of Canadian courts. After that any further interference with MHVB, "a living constitutional subject of the Realm of England", will be illegal and "High Treason". Perhaps stating the obvious, I note that AVI, MHVB, and Z are not in "the Realm of England", but in Canada.

[60] The third "Notice of Default" document in the series announces it is now too late for Associate Chief Justice Nielsen to respond. MHVB's claims in the "Notice of Lawful Objection" are now established as legal binding fact. Any further action by the Alberta Court of Queen's

Bench will have criminal law and damages consequences for Associate Chief Justice Nielsen, personally.

[61] Canadian courts have seen OPCA documents of this general type many, many times over the past 20 years. These are a "Three/Five Letters" scheme, which I will discuss in more detail below. Based on previous experience the Court will now receive one or two more documents that "seal the deal" further and/or (purportedly) impose more obligations and/or penalties on Associate Chief Justice Nielsen.

[62] I too, personally, am the subject to a "Three/Five Letters" scheme. Mine started with the "Notice of Conditional Acceptance" (Appendix "D") sent to me by Robinson that essentially declares that, as a *Magna Carta* rebels, Robinson and MHVB now dictate what the law is in relation to Z. I will be personally responsible unless I prove otherwise. Since I did not reply to Robinson I then also received a "Notice of Default and Opportunity to Cure" document that purports to extinguish the Alberta Court of Queen's Bench's jurisdiction in relation to Z.

3. The New Rebellion of 2001

[63] History reports that in 1215 English landowners, "barons", rebelled against King John, who was then the monarch of that realm. After negotiations between the two sides on June 10, 1215, King John assented to terms and conditions on his conduct that are known as the *Magna Carta* of 1215. While that did not end the political scheming in medieval England, and the occasional subsequent civil war, as far as I knew the historic meeting at Runnymede had settled the baron's complaints vs that monarch.

[64] I was surprised to learn that had been a revolt of the "barons" in 2001. Some MCLR documents attach as exhibits items that relate to these new rebels, their complaints, and what they did about that.

[65] First is a document titled "The Barons petition 2001" [sic], which purportedly was "presented under clause 61 of Magna Carta 1215" to Queen Elizabeth II on February 7, 2001. This document complains that the UK's "national independence" and "ancient rights, freedoms and customs" have been lost and eroded since the UK joined the EU. The document focuses on the 2000 *Treaty of Nice*, warning that this treaty would cause further "losses of national independence", would "introduce an alien system of criminal justice", abolish *habeas corpus* and jury trials, allow foreign militaries ("men at arms") into the UK, subvert the UK military's chain of command, and impose an alien "Charter of Fundamental Rights". The authors of this "petition" therefore say the Queen ought to withhold Royal Assent to any legislation that ratifies the *Treaty of Nice*. This document is signed by 28 Peers, including Lord Craigmyle. For convenience I will call these individuals the "new rebel barons".

[66] So, in short, "The Barons petition 2001" has a fairly narrow focus. The 28 new rebel barons seek that Queen Elizabeth II block implementation of the *Treaty of Nice*. I note the 28 new rebel barons have nothing to say about Canada. They have nothing to say about the Commonwealth. This is a political demand, of a kind, by a group of hereditary nobles in the UK, concerning UK governance.

[67] MCLR documents also include a second document, dated March 23, 2001, purportedly a letter invited by the Queen and addressed to Sir Robin Janvrin, the "Queens Private Secretary" [sic]. This document repeats that the new rebel barons complain that the *Treaty of Nice* conflicts with the "Constitution of the UK", the *Magna Carta*, the *Bill of Rights*, and the Queen's

Coronation Oath. The new rebel barons expand on the various rights they indicate are being affected or eliminated by enacting the terms of the *Treaty of Nice*.

[68] The new rebel barons declare that government ministers who are implementing the *Treaty of Nice* are already oath-breakers. The writers state the Coronation Oath is a signed contract, and that if the Queen does not block implementation of the *Treaty of Nice*, then she has breached that contract, and, with that, the UK descends into chaos:

> The Coronation Oath is a moral obligation, a religious obligation, a sworn obligation, a contractual obligation, a statutory obligation, a common law obligation, a customary obligation, an obligation on all who swear allegiance, it is the duty of government, and it is sworn for the nation, the commonwealth and all dominions.
>
> **The Coronation Oath is the peak of a pyramid, and all subordinate oaths are bound by its limitations.** The armed services swear allegiance to the sovereign, not to the government of the day. This helps clarify the principle that allegiance is necessary, and not optional - an essential part of the checks and balances of our constitution. **Without these oaths, and their lawful enforcement, we have little to protect us from government by tyranny.**
>
> [Emphasis in original.]

[69] The letter concludes:

> In the event that the Treaty of Nice is considered for Royal Assent we respectfully request that Her Majesty grant us an opportunity to examine the opinion of those who seek to alter our constitution by contrary advice. Accordingly, under those same terms of Magna Carta and the Bill of Rights quoted earlier, we the undersigned, and others - have formed a Barons Constitutional Committee to be available for consultation and to monitor the present situation as it develops ... until redress has been obtained.
>
> We are and remain Her Majesty's most loyal and obedient subjects."
>
> [Emphasis added.]

[70] And that is it, at least as far as the MCLR materials that document how in 2001 the new rebel barons invoked Article 61 of the *1215 Magna Carta* and, purportedly, struck the spark to start a new rebellion so that MCLR adherents may swear allegiance and then ignore treasonous and seditious UK (and Canadian) authorities. But the March 23, 2001 letter to the Queen does not actually say that. The new rebel barons instead declare they are Queen Elizabeth II's "most loyal and obedient subjects". The most they seek *is to form an advisory committee*. Where's the revolt? The call to arms and resistance?

[71] Did the new rebel barons in 2001 truly send the UK into constitutional disorder? I think I may take judicial notice that no bands of sworn oathsmen and women headed by the new rebel barons (let alone by Lord Craigmyle as their leader) have been seizing castles and other royal property across the UK over the past nearly 20 years. I am no UK constitutional scholar, but reading the plain text of the materials found in Robinson's MCLR documents leads me to conclude that the purported baronial rebellion of 2001 was nothing more than political drama, theatre, and showmanship. I have seen nothing in my own research to the contrary.

B. *Magna Carta* Article 61

[72] Beyond the remarkable alternative history that I have just recounted and a baronial revolt and revolution that apparently no one in the UK has noticed, there are many historical, legal, and logical errors and misconceptions in Robinson's scheme to escape court, state, and police authority via the *Magna Carta*. I do not intend to deal with these in great detail but should comment on these fallacies lest they be repeated in other proceedings by other MCLR adherents.

1. The *1215 Magna Carta* was repealed in 1216

[73] King John died in 1216 and the rebel barons and King John's son, Henry III (through his regents) came to a new arrangement: the *Magna Carta* of 1216. That document eliminated Article 61, such that the Article 61 lawful rebellion process essentially died with King John. Subsequent iterations of the *Magna Carta* did not include Article 61 or anything like it. Thus, MCLR adherents are relying on a clause that had meaning and legal effect for less than a year, more than 800 years ago.

2. Robinson is a Rogue Servant

[74] Article 61 of the *1215 Magna Carta* said nothing about the rights of ordinary individuals, but instead authorized a counsel of 25 rebel barons to seize all of King John's "castles, lands, possession, or anything else" if King John did not adhere to the terms of the *Magna Carta of 1215*. What about rights given to non-barons? Article 61 permits "[a]ny man who so desires may take an oath to obey the commands of the twenty-five barons ..." [emphasis added]. That would appear to be obedience to the commands of the elected council, not a single baron.

[75] Robinson appears to have sworn herself to be a loyal servant to Lord Craigmyle of Invernesshire. So what? There is no suggestion anywhere that Lord Craigmyle has been elected or appointed to speak for any Article 61 council. There is also nothing to suggest that Lord Craigmyle has "commanded" Robinson to do anything at all, or to do anything in return for her allegiance, let alone that she write to this Court, claiming to represent MHVB, advancing claims that MHVB owns Z as chattel property, and threaten, let alone impose, "the Gallows". Robinson therefore appears to be rogue servant and Lord Craigmyle should perhaps be concerned about what is being done by her, purportedly under his authority.

3. *Magna Carta* Article 61 Explicitly Exempts Children

[76] Article 61 of the *Magna Carta* does not authorize the seizure of an ordinary person's child. Article 61 is about the King's "castles, lands, possessions". In fact, not only does Article 61 not apply to children, it explicitly states it does not apply to the king as a person "... and those of the queen and our children ...". So, even if Robinson were to travel back in time to 1215, swear her allegiance to baron so-and-so, Robinson would not only have no right to assert a property claim on a child of an ordinary person of that day and time, Robinson also would be explicitly prohibited in relying on Article 61 to interfere with King John's children.

4. The "Modern" UK *Magna Carta*

[77] Next, Ms. Robinson's position runs afoul of the fact there have been a succession of *Magna Cartas*. The one that still is (somewhat) in effect in the UK is the *Magna Carta* (1297), 1297 C 9 25 Edw 1. This document is considered legislation of the English Parliament. It has 40 clauses. None authorize barons and their sworn minions to seize castles and the like. Worse for the MCLR adherents, all but three Articles of the *1297 Magna Carta* have been repealed. Of the

remaining Articles, Article 1 recognizes the immunity of the Church of England. Article 9 grants the City of London its "ancient liberties". Article 29 recognizes the rights of "free-men" shall not be infringed, except by legal processes.

[78] None of these remaining provisions authorizes Robinson's demands that, as the representative of MHVB, child Z must be produced as chattel property. In fact, by ignoring Canadian courts and their processes Robinson has instead breached Article 29 and is acting as a vigilante, outside "the laws of the land". I will, however, not extend this finding of unlawfulness to Lord Craigmyle. There is no evidence he ever asked Robinson to do anything. Lord Craigmyle is simply the unlucky recipient of Ms. Robinson's "magic" paperwork.

5. The *Magna Carta* is Not a Supraconstitutional Authority

[79] It appears that Robinson assumes that the *1215 Magna Carta* has supraconstitutional status. The *1215 Magna Carta* is purportedly the highest law that cannot be challenged, revoked, superseded, etc. There are several problems with that claim.

[80] First there is the problematic legal foundation on which the MCLR advances this claim. Certain MCLR documents (e.g. Appendix "D") include this passage - "Magna Carta is as binding upon the Crown today as it was the day it was sealed at Runnymede." - purportedly quoted from *Halsbury's Laws of England*. If that were an actual statement of the law extracted from that august legal resource then this declaration would be a significant factor worthy of consideration. However, that sentence is nowhere to be found in *Halsbury's Laws of England* (2018). In fact, the only times "Runnymede" is ever mentioned in *Halsbury's* is that several case citations involve the "Runnymede Borough Council", and that certain land in Runnymede vested with the US pursuant to the *John F Kennedy Memorial Act*, 1964 C 85.

[81] I then checked the BAILII database that contains hundreds of thousands of reported cases from across the UK to see if any reproduced this important principle from *Halsbury's*. I found exactly nothing. The same happened when I searched the AustLII and CanLII databases.

[82] Undaunted, I turned to "Google Books" to see if perhaps this mysterious passage had been culled from an older edition of *Halsbury's Laws of England*. At last I found a match - not in *Halsbury's* - but instead in a book: Ashley Mote, *Vigilance: A Defence of British Liberty* (Petersfield: Tanner, 2001) at 261. Mote provided no citation or source for the "Magna Carta is as binding" passage. Is Mote a legal scholar? No, Mote instead is a former Member of the European Parliament who was convicted and jailed for nearly half a million pounds in false and fraudulent expense claims: "Former MEP Ashley Mote jailed over expenses fraud", *BBC* (13 July 2015).

[83] Given these results I see little explanation other than the "sealed at Runnymede" quote is a complete fabrication. That is not anything new. OPCA litigants fabricate supposed legal principles and findings all the time: e.g. ***Gauthier v Starr***, 2016 ABQB 213 at paras 41-42, aff'd 2018 ABCA 14; ***ANB v Hancock*** at para 93; ***Fearn v Canada Customs***, 2014 ABQB 114 at paras 46-60. At this point I stopped attempting to validate the legal sources and authorities identified in MCLR materials. Whoever concocted these documents appears to take a "make it up as you go" approach to law.

[84] What is worse for Robinson's argument is that Commonwealth jurisdiction courts have consistently repudiated the claim that the *Magna Carta* is anything special. In ***The Mayor Commonalty and Citizens of London v Samede (St Paul's Churchyard Camp Representative)***,

[2012] EWCA Civ 160, the Master of the Rolls specifically rejected the argument that the *Magna Carta* has extraordinary status:

> [The appellant] challenged the judgment on the ground that it did not apply to him, as a 'Magna Carta heir'. But that is a concept unknown to the law. ... [The appellant] also invokes 'constitutional and superior law issues' which, he alleges, prevail over statutory, common law, and human rights law. Again that is simply wrong – at least in a court of law.

[85] The Master of the Rolls continued to confirm that in the UK only Articles 1, 9, and 29 of the *1297 Magna Carta* have any legal relevance.

[86] Outside the UK the *Magna Carta* is in most instances legally irrelevant, other than as part of legal history. For example, the High Court of Australia in ***Essenberg v The Queen***, B55/1999 [2000] HCATrans 385 (High Court of Australia) ruled:

> Magna Carta and the Bill of Rights are not documents binding on Australian legislatures in the way that the Constitution is binding on them. Any legislature acting within the powers allotted to it by the Constitution can legislate in disregard of Magna Carta and the Bill of Rights. At the highest, those two documents express a political ideal, but they do not legally bind the legislatures of this country or, for that matter, the United Kingdom. Nor do they limit the powers of the legislatures of Australia or the United Kingdom.

[87] Similarly, in Canada notorious Detaxer OPCA guru David Kevin Lindsay argued in ***R v Lindsay***, 2008 BCCA 30 at para 18, leave to appeal to SCC refused, 31204 (18 September 2008), "... the Magna Carta is the foundation of the rule of law itself and that it protects the rights, freedoms, and liberties of all citizens. In [Lindsay's] submission, the *Magna Carta* was received in Canada as part of our constitutions ...".

[88] Smith JA responded by surveying the numerous Canadian court and academic authorities that conclude that in Canada the *Magna Carta* is not a constitutional document but, at most, legislation: ***R v Lindsay***, paras 19-22.

[89] Other Canadian OPCA litigants have advanced variations on this claim that the *Magna Carta* has extraordinary status. Detaxer guru Eldon Warman declared he is "... a commoner with all applicable common law rights and freedoms, including those rights and freedoms enshrined in the constitutional document, Magna Charta 1215 ...". The British Columbia Court of Appeal responded that Warman's claim was:

> ... a complete denial of the constitutional history of this country as it applies to the rights and obligations of its people before the law. ... The submissions of the appellant must be and are rejected as being without any legal, historical or constitutional foundation whatsoever.
>
> (***R v Warman***, 2001 BCCA 510 at paras 13-14.)

[90] Similarly, in ***Harper v Atchison***, 2011 SKQB 38 a Freeman-on-the-Land referenced "... the Magna Carta to insulate himself from those portions of Canadian law that he does not like or finds inconvenient. ...". Justice Foley reviewed the many cases that had already investigated and rejected that the *Magna Carta* has supraconstitutional status and struck out the Freeman's lawsuit.

[91] So that is a further problem with Robinson's claims. She relies on historic English legislation that was very long ago replaced in that country, and which outside of England has been consistently identified as having no modern legal relevance. She is far from the first OPCA litigant to point to the *Magna Carta* and make demands. Just like the Detaxers and Freemen who came before her and made the same arguments, Robinson's *Magna Carta* pseudolegal demands have absolutely no legal merit. In Canada the *1215 Magna Carta* is a historical landmark but with no current legal effect.

6. One Oath to Bind Them All

[92] Another problem with the MCLR scheme is that it relies on the UK Royal Coronation Oath operating as a kind of contract. The new rebel barons in their March 23, 2001 letter appear to take the position that if the Queen breaks her Coronation Oath, then that cascades to invalidate oaths all over the UK, and, perhaps, even the Commonwealth too. Once the Queen is a traitor, everyone is a traitor.

[93] This claim that the Coronation Oath has a keystone function is not a new OPCA concepts. Others have made the same claim, and argued that once the Queen has turned traitor, all social order and organization disappears. For example, Albertan Brenden Randall Rothweiler claimed Queen Elizabeth II breached her contractual oath by:

- "Allowing the forming of political parties and demon-crazy (democracy) to divide, weaken, conquer and ruin the people (Deuteronomy 5:32, 17:20; Matthew 12:25).";
- her "... encouraging and promoting sodomy ...", and knighting "high-profile sodomites" including Elton John, Ian McKellen and John Gielgud, "... instead of having them Lawfully executed as a deterrent to others.";
- "... collecting of graven-images and expensive jewellery (her famous art and Faberge collections, etc.)"; and
- allowing and condoning Witchcraft, which includes according a title to author J. K. Rowling "who promotes witches", and also the development and employment of vaccines and other pharmaceuticals: "witches' brews/potions".

(***Rothweiler v Payette***, 2018 ABQB 399 at para 62.)

[94] I agree with Associate Chief Justice Rooke that Canada does not dissolve into "a post-Elizabethan chaos" because of alleged failures of the Queen in relation to her Coronation Oath.

[95] Beyond that, Canadian courts have repeatedly concluded the Coronation Oath and its status has no relevance to Canadian authority and law: e.g. ***Rothweiler v Payette***, 2018 ABQB 399; ***R v Lindsay***, 2011 BCCA 99; ***Potvin (Re)***; ***CP (Re)***, 2019 ABQB 310.

[96] This is a further issue with MCLR theory. Queen Elizabeth II not blocking implementation of the *Treaty of Nice* is irrelevant to government, police, and court authority in Canada. It probably is irrelevant in the UK, too, but I do not have to decide that issue.

7. The Wrong Constitution

[97] I am now going to explore an alternative hypothesis. I will accept only for the purposes of argument that when the new rebel barons in 2001 invoked the *1215 Magna Carta* and Article 61 by petitioning Queen Elizabeth II that the Queen must refuse to permit any further integration of the UK into the EU - and the Queen did nothing - that this was treason by the Monarch that

shattered "English Constitutional law". I will, hypothetically, presume in these circumstances that all those who cast their lot with the new rebel barons and stood against sedition were not bound to obey treasonous UK authorities, legislation, and courts.

[98] Well, whatever does that have to do with Canada? Absolutely nothing. Canada is no longer part of the UK constitutional structure. On March 29, 1982 the UK Parliament passed the *Canada Act 1982* (UK), c 11 which terminated any jurisdictional linkage between Canada and the UK. Canada in turn enacted the current *The Constitution Act*, 1982, our modern Constitution.

[99] So I will assume that the new rebel barons have (allegedly) shattered "English Constitutional law" when the UK Parliament signed and implemented the *Treaty of Nice* and then the Queen did nothing. But Canada did not sign that treaty. Canada is not a member of the EU. Furthermore, the new rebellion (allegedly) initiated in 2001 occurred *nearly twenty years after Canada's law and constitution was already split off from the UK*. The (alleged) wrongdoing of the UK Parliament and Queen cannot have any effect on Canada. *Canada Act 1982* (UK), c 11, s 2 says exactly that:

> No Act of the Parliament of the United Kingdom passed after the Constitution Act, 1982 comes into force shall extend to Canada as part of its law.

[100] So, assuming for the moment that in fact the UK does exist in constitutional chaos, and lawful rebels roam its lands directed by a cabal of rebel barons, that would mean absolutely nothing for Canada. We are third parties to this conflict, having split away from the UK nearly four decades ago. I also note that the new rebel barons' petitions to the Queen say nothing about Canada. Even those new rebel barons do not claim to have taken steps that might affect any nation *except the UK*.

[101] I presume this same defect in MCLR theory would exist for other countries in the Commonwealth since none of them are either EU members or signatories to the *Treaty of Nice*.

8. The New Rebel Barons Have Triumphed

[102] I will engage in a further hypothetical scenario. Once more I will presume that in 2001 the new rebel barons shattered "English Constitutional law", and that they and their acolytes were at that time then justified in rejecting UK authority in response to the increased integration of the UK into the EU.

[103] If so, then the new rebel barons have won. The people of the UK rallied to their cause. On June 23, 2016 a majority of UK citizens voted to terminate the UK's membership in the EU by what is commonly referred to as "Brexit". The UK formally left the EU on January 31, 2020.

[104] If there was a rebellion then it seems to me that the UK has chosen, democratically, to end that in a peaceful way, by the ballot box. Anyone who now says they are lawful rebels by pointing to a conflict that ended in the rebel barons' favour is fighting a war that is already won. Unless, of course, claiming to be revolting under Article 61 of the *1215 Magna Carta* was merely an OPCA pretense to get things for free, ignore the law and authorities, deny one's legal obligations, and excuse criminal misconduct.

C. Children Are Not Chattel Property

[105] There are still more legal errors with Robinson's claims. The "Notice of Conditional Acceptance" and Robinson's June 27, 2020 letter to myself explicitly identify Z as MHVB's chattel property. This type of claim is nothing new. OPCA litigants regularly claim they own

their children as property and say they can do with those children however they please: e.g. ***SS (Re)***, 2016 ABPC 170; ***Toronto-Dominion Bank v Leadbetter***, 2018 ABQB 472 at para 25, court access restricted 2017 ABQB 611; ***DKD (Re) (Dependent Adult)***, 2018 ABQB 1021 at paras 6-11; ***CP (Re)*** at paras 30-31, court access restricted 2019 ABQB 388.

[106] Any such property claim is wrong. Justice Mandziuk in ***DKD (Re) (Dependent Adult)*** at para 11 concluded "... characterizing human beings as property is repugnant to modern Canadian society, values and law." I agree.

[107] That is not to say that the historical English common law did not at one time consider minor children to be property, e.g. William Blackstone, *Commentaries on the Laws of England, in Four Books*, 12th ed (London: A Strahan and W Woodfall, 1793) vol 1 at 452-53. However, the Supreme Court of Canada has categorically and emphatically rejected this approach to the status of children: ***B (R) v Children's Aid Society of Metropolitan Toronto***, [1995] 1 SCR 315 at 372, 122 DLR (4th) 1; ***Chamberlain v Surrey School District No 36***, 2002 SCC 86 at para 106, [2002] 4 SCR 710; ***Canadian Foundation for Children, Youth and the Law v Canada (Attorney General)***, 2004 SCC 4 at para 225, [2004] 1 SCR 76.

[108] Thus, under Canadian law neither MHVB, nor Robinson (illegally) acting on MHVB's behalf, can claim ownership and demand delivery a four-year old girl as property. Even if this demand were advanced under traditional English common law, that claim would still fail because under that now obsolete legal schema children were the property *of the father alone*: Blackstone, vol 1 at 452-53.

[109] This is a further basis why Robinson's demands to AVI, AVI's counsel, and the Court are wrong, hopeless, abusive, and beyond that, offensive.

D. Three/Five Letters Processes

[110] The OPCA documents that have been received by this Court from Robinson, MHVB, and other MCLR adherents are a very familiar pseudolegal scheme, the "Three/Five Letters" process, that supposedly creates binding outcomes by sending someone a series of documents. At each step a document makes demands or states threats, sets a deadline, and purports that failure to meet those demands or silence means agreement. These documents, "foisted unilateral agreements", are a common theme in OPCA litigation world-wide: ***Meads*** at paras 447-528. However, foisted unilateral agreements are not legally binding because silence does not mean agreement, nor can one unilaterally impose contract obligations on another: ***Meads*** at paras 458-472.

[111] The Three/Five Letters scheme follows a kind of script. Rooke ACJ in ***Rothweiler v Payette***, 2018 ABQB 288 at para 13 laid out the overall progress of the scheme.

1. The first letter in the sequence demands a response by a deadline, and usually identifies the purported consequences of an inadequate response or no answer.
2. If no response or an inadequate response is received then the OPCA litigant sends to the target one or more notices that a response is overdue.
3. If no response is still received then the OPCA litigant sends the target one or more documents that indicates the issue (allegedly) in question is decided, and a binding agreement or admission has resulted.

See also ***Bank of Montreal v Rogozinsky***, 2014 ABQB 771 at para 69.

[112] The Three/Five Letters were introduced into Canada by Freeman-on-the-Land guru Robert Arthur Menard who called this a "Notary Public Protest Method" that creates an "Administrative Judgment": Donald J Netolitzky, "Humdrum Becomes a Headache: Lawyers Notarizing Organized Pseudolegal Commercial Argument Document" (2019) 49:3 Advocates' Quarterly 279. The Three/Five Letters subsequently spread elsewhere, including to the UK where the Three/Five Letters were used by the dubiously named "Get Out Of Debt Free" OPCA website to purportedly eliminate debts: ***Bank of Montreal v Rogozinsky***.

[113] ***Rothweiler v Payette***, 2018 ABQB 288 at para 16 lists numerous Canadian cases where OPCA litigants have deployed the Three/Five Letters. It never worked. Associate Chief Justice Rooke concluded at para 21 that this scheme is so notoriously false, and has been rejected so often by Canadian courts, that when someone employs the Three/Five Letters that:

> ... as a principle of law, when a court or government actor encounters a person who claims that they have obtained a binding result as a consequence of a Three/Five Letters process, then the court or government actor may presume that deployment of the Three/Five Letters argument is proof that the person using these concepts is engaged in a vexatious, abusive argument, and does so for an improper and ulterior purpose. That reverses the onus of proof, so that it is up to the OPCA litigant who has advanced the Three/Five Letters to prove their action, complaint, or defence is not vexatious and an abuse of court processes.

[114] That presumption applies to both Robinson and MHVB. While Robinson is a third-party interloper in the custody of Z, for MHVB this presumption that results from MHVB relying on illegal OPCA strategies has potentially serious consequences, as I will discuss below.

VI. Restrictions on Robinson's Future Participation in Alberta Court Proceedings

[115] In Part IV above I took steps to prevent Robinson from further interfering with AVI, MHVB, and Z. Robinson is a busybody third-party interfering in litigation where she has no legitimate role. Robinson is also using OPCA strategies. That makes her an abusive court actor, and an appropriate target for litigation management steps.

[116] But as I have also indicated, Robinson's misconduct extends past that. She appears to be involved in other litigation too. There is a broader pattern where Robinson is involved with multiple MCLR adherents, and appears to be taking a leadership or instructor role.

[117] Canadian courts have an obligation to deny access to rogue layperson representatives. In ***R v Dick***, the British Columbia Court of Appeal denied an OPCA guru status as a court agent. Acting as a court representative or agent is not right, but a privilege: para 6. "Each court has the responsibility to ensure that persons appearing before it are properly represented ... and to maintain the rule of law and the integrity of the court generally." [emphasis added]: para 7.

[118] The Ontario Court of Appeal in ***R v Romanowicz*** (1999), 138 CCC (3d) 225 (Ont CA) concluded that a person should be barred from operating as a litigation representative if that representation would harm the individual being represented, where representation would interfere with the administration of justice, and if the candidate representative exhibits "... blatant disrespect for the law. ...": para 74. I think reducing a child to chattel property and threatening judges with "the Gallows" satisfies all those criteria.

[119] Beyond that, it is well established in Canada that advancing OPCA strategies is a basis to prohibit a person from acting as a litigation representative: ***R v Dick***; ***Gauthier v Starr***; ***Shannon v The Queen***; ***R v Ciciarelli***. What aggravated Robinson's actions further is her use of abusive concepts and strategies in matters that are far from trivial. MHVB is facing incarceration. Robinson is putting the health and well-being of a child at risk. These are especially critical situations where the implications and consequences of the litigation means the privilege of acting as a court representative ought to be strictly enforced: ***R v Dick*** at para 16.

[120] Robinson's developing abusive OPCA busybody activities are very troubling. I conclude this is a scenario where the Court should consider whether broader steps are potentially appropriate to minimize the future harm caused by Robinson, and that she may be globally banned from:

1. providing legal advice, preparing documents intended to be filed in court for any person other than herself, and filing or otherwise communicating with any Alberta court, except on her own behalf; and
2. acting as an agent, next friend, McKenzie Friend (from ***McKenzie v McKenzie***, [1970] 3 All ER 1034 (UK CA) and *Alberta Rules of Court*, Alta Reg 124/2010, ss 2.22-2.23), or any other form of representation in court proceedings.

[121] Robinson has until September 30, 2020 to make written submissions and provide affidavit evidence relating to:

1. whether Robinson should be restricted in relation to Alberta legal processes and court proceedings, and
2. if so, what ought to be the appropriate steps.

[122] Robinson's response should be directed to me, personally, as to why I should not generally prohibit Robinson from involving herself in other persons' legal processes and court proceedings. These written submissions are exempt to the prohibition that I imposed on communicating with the Court in relation to the FL03 55142 Action in Part IV, above.

[123] AVI and MHVB may make submissions and/or file affidavit evidence in relation to these questions with the same deadline.

VII. Warning to MHVB

[124] I am also writing this decision to inform MHVB of the potential negative implications of her continuing to rely on Robinson and MCLR theories. First, saying that the Court has no authority over her child directly subverts the Court's reliance on MHVB to fulfill her responsibilities and legal obligations as a parent of Z. If MHVB does not respect and acknowledge the Court's authority, that means there is no reason to trust MHVB will follow the Court's instructions. When that is combined with MHVB's problematic record that favours MHVB having a much reduced role with Z.

[125] Second, classifying Z as MVHB's property that is appropriate to be seized does not create confidence in MHVB fulfilling her parental role in a responsible manner. Her viewing her child as property is disturbing and counter to her role under Canadian law as a guardian and caregiver, whose first duty is the well-being of her daughter.

[126] Third, Canadian courts have ruled that exhibiting OPCA beliefs is a serious indication that a person is not a fit parent. Espousing OPCA beliefs means that a person is not a suitable to be a child's guardian or have custody of and access to the child: ***H v GJ***, 2013 BCPC 242 at paras 136-166, ***MDC v TC***, 2012 NBQB 376 at paras 19-20, and ***Droit de la famille - 123381***, 2012 QCCS 6120 at paras 6-8, 12, 111, 227, aff'd 2013 QCCA 725; ***CP (Re)***, 2019 ABQB 310 at para 35; ***CP (Re)***, 2019 ABQB 388 at para 34-43.

[127] In ***CP (Re)***, 2019 ABQB 388 Thomas J concluded at para 43 that: "... The false, paranoid, and anti-social beliefs that [the OPCA father] now espouses, and his illegal and abusive pseudolegal attempts to defeat Court and legal authority, means he is not a suitable guardian or parent. ...". MHVB should know her current path has that potential consequence.

[128] Associate Chief Justice Nielsen has delegated responding to MHVB's Three/Five Letters to me. MHVB should know these documents provide her no benefit, nor do they have any legal effect, except one. I caution MHVB again that employing the Three/Five Letters process against Associate Chief Justice Nielsen or any other court member, or court employee, or law enforcement, or AVI and AVI's counsel creates a presumption of bad faith and intent. All this may be relevant if, in the future, the Court considers whether MHVB's role in Z's life ought further limited or structured. Beyond that, employing OPCA strategies can have other negative consequences such as court costs, court access restrictions, contempt of court proceedings, and criminal proceedings.

[129] I very strongly recommend that MHVB consult with a lawyer. If she is unable to afford a lawyer, I recommend MHVB contact a public legal assistance resource such as Legal Aid Alberta, Calgary Legal Guidance, the University of Calgary Student Legal Assistance, or Student Legal Services of Edmonton. What happens next is largely in her hands. MHVB at present has some parental role with Z, restricted now by the restraining order imposed as a result of MHVB's adopting pseudolaw and making unlawful threats. MHVB has a choice to make. I hope her decision is an informed one and that she thinks very carefully about what Robinson has promised, and what now is the result given this decision.

VIII. Conclusion

[130] I have provided detailed reasons in response to Robinson and the MCLR movement because the ideas that circulate in these groups, and their broader paranoid and conspiratorial context, cause real harm to people. As Associate Chief Justice Rooke observed in ***Unrau #2*** at paras 198-199, OPCA litigants are in certain senses victims of their own beliefs:

> ... The anti-social belief and corresponding illegal actions of OPCA litigants further illustrates how abusive litigants engage in self-destructive behaviour. They engage in litigation they will predictably lose. OPCA beliefs aggravate and escalate what might otherwise be comparatively minor misconduct.
>
> ... Perhaps worst of all is how these beliefs distort their perception of everyday life. Step into their shoes, and imagine how the world looks to them, filled with legal traps and conspiracies, unauthorized despotic governments, and ongoing oppression. No one benefits from existing in that perceived, but illusory, dystopia.

[131] Courts should provide a substantive response to pseudolegal claims: ***Meads*** at para 636; Colin McRoberts, "Tinfoil Hats and Powdered Wigs: Thoughts on Pseudolaw" (2019) 58:3

Washburn LJ 637 at 664-669. That is what I have tried to do here. MHVB now has a basis to critically test and evaluate what Robinson is doing, purportedly on her behalf. I hope she does so. MHVB might also ask why Robinson was convicted in Provincial Court, despite Robinson having sworn an Oath to Lord Craigmyle.

[132] The Court will draft and serve the Order that flows from this decision. Approval of that Order is dispensed with per *Rule* 9.4(2)(c). Both Robinson and MHVB have only provided a post office box address in Carbon, Alberta (P.O. Box 445, Carbon, Alberta, T0M 0L0) for response to their foisted unilateral agreements. I order that service of this Decision and its corresponding Order, and any argument and/or affidavit evidence pursuant to para 123 is deemed to have been satisfied one week after any document is posted to that address.

[133] It appears that Robinson is engaged in an unauthorized practice of law. A copy of this decision will be forwarded to the Law Society of Alberta for its attention and response.

[134] I am also taking the perhaps unusual step of directing a copy of this decision to the "Lord Craigmyle" who is the figurehead identified by the MCLR movement. It appears the current "Baron Craigmyle" is Thomas Columba Shaw: *Who's Who* (Oxford: Oxford University Press, 2000). By sending Baron Craigmyle this decision I am not purporting to impose any obligation on him. Nevertheless, I think he should know that the hundreds, if not thousands of Oaths of Allegiance that he is receiving are part of an organized campaign of deception and disinformation.

[135] The individuals who send him these documents are people with real problems. They are taking illegal actions purportedly relying on the paperwork they send to him. I can only guess at the scope and kind of misconduct and self-injury that results from MCLR belief. But in this case I know that there is a little four-year old girl whose health, safety, and well-being are being placed in jeopardy by these ideas.

[136] Another point that Baron Shaw may not know is that the people who send him these documents have a major misapprehension about what it means when he says nothing and does nothing. They believe silence means agreement - and they act on that. As I indicated, I am not telling Baron Shaw what to do. However, if it were me, and I were to become aware of what is occurring purportedly in my name, I would at a minimum reject and return to sender any Oath of Allegiance that appears by registered mail and with my name (or title) on it.

Dated at the City of Edmonton, Alberta this 25th day of August 2020.

Robert A. Graesser
J.C.Q.B.A.

Appearances:

None.

Appendix "A": Notice of Lawful Objection & Declaratation of Standing in Law

[Crest Design
see Appendix "E"]

From: [MHVB]
Address: PO Box 445
Carbon Alberta
T0M0L0

To: K.G. Nielsen doing business as Associate Chief Justice
Alberta Court of Queen's Bench
Address: IA Sir Winston Churchill Square, Edmonton Law Courts Building
Edmonton, Alberta
T5J 0R2

Date:

NOTICE OF LAWFUL OBJECTION
&
DECLARATATION OF STANDING IN LAW

Notice to Agent is Notice to Principal, and Notice to Principal is Notice to Agent

Dear K.G. Nielsen,

I am writing to you with the presumption that you are the senior agent of the alleged authority in which you are employed or appointed. If there is a more senior position than yours within the department or office, then you are instructed to pass this official NOTICE OF LAWFUL OBLIGATION upward for the attention of the Principal Crown agent who holds an Oath of Office.

I am writing to you in order to put you on Notice of my standing in law, with the intent to prevent any future breach of the peace , harassment , coercion, demands with menaces, trespass, criminal damage or any other unlawful intrusion into my affairs, including phone calls and emails etc without just and lawful cause to do so, nor without lawful/legal authority.

Whereas I, **[MHVB] solemnly declare an Oath of allegiance to the Committee of the Barons whom invoked Article 61 of the 1215 Magna Carta on the 23rd March 2001** (see exhibit A & B) and, that I am hereby standing with lawful excuse to "distress" the Crown, and cannot by Royal Proclamation aid and abet it in any way whatsoever, including the Alberta Court of Queen's Bench whom may/are making, or may in future make demands on me to comply with unlawful legislation, I herby attempt to pre-empt any such unlawful behaviour by Declaration of my lawful standing herein.

Please be aware that the 1215 Magna Carta has not been repealed, and that if it had been repealed as the quislings within parliament state, then the (criminally) usurped and deposed (by law) "Queen Elizabeth II" would not have responded to the barons petition which was served on her via Sir Robin Janvrin (Queens' Private Secretary) at noon on 7th February 2001 (see exhibit A).

Furthermore, if the 1215 Magna Carta had been truly repealed as the conspirators in parliament would have us believe, then we would not have celebrated Magna Carta's 800th anniversary on the 15th June in 2015; coins were also minted in its commemoration in 2015. It can clearly be seen that a response to said petition did occur and, that it left the Barons' Committee with no choice under English and Commonwealth law but to invoke Article 61 - the famous Security Clause' (see exhibit B).

The Reply:

I am commanded by The Queen to reply to your letter of 23rd March and the accompanying petition to Her Majesty about the Treaty of Nice" - (Sir Robin Janvrin Private secretary to Her Majesty The Queen);

"The Queen continues to give this issue her closest attention. She is well aware of the strength of feeling which European Treaties, such as the Treaty of Nice, cause. As a constitutional sovereign, Her Majesty is advised by her Government who. support this Treaty.

As I am sure you know, the Treaty of Nice cannot enter force until it has been ratified by all Member States and in the United Kingdom this entails the necessary legislation being passed by Parliament."

Moreover, we did not celebrate the 1297 statute version of Magna Carta in 1997, so a little common sense is all that is required to disprove the propaganda espoused by the successive, Treasonous administration(s); the alleged "representatives" of the people.

Article 61 of Magna Carta 1215 came into effect on the 23rd day of March 2001 because of the High Treason evidently committed by Prime Minister Anthony Charles Lynton Blair whom signed the Treasonous EU Treaty of 'Nice' on the 26th January 2001. I have supplied herein a transcript of the petition of the barons, which includes within its address the evidence pertaining to the treasonous aspects of the Treaty of Nice (See exhibit B).

Moreover, it is not the people's fault that the Barons' Committee were forced by law to invoke the security clause of Magna Carta 1215 in 2001. It is to my understanding 61 of Magna Carta 1215).

I am an honourable, law abiding subject of the country whom stands assertively under the truth in law in order to protect the common laws and customs of the land, and to also defend my unalienable rights as a sovereign man of the Realm.

Furthermore, Treason evidence is also supplied herein which proves undeniably that Edward Heath and his co-conspirators did, with malice aforethought, commit Sedition and High Treason at Common Law when he signed the European Economic Communities Bill in 1972. The Heath Administration hid this blatant act of treachery under the Official Secrets Act for 30 years, where it remained within the National Archives within the Public Records Office until being released into the public domain in 2002.

A link to a PDF Evidence file along with the transcript of a Letter to Edward Heath from Lord Kilmuir, are included as evidence of Heath's Treason (see Exhibits D & E - respectively).

Whereas I have taken this standpoint in law in order to defend the realm and my unalienable Sovereign Rights, which the Common laws and customs of the land protect, and which the English and Commonwealth constitution demands that we all must do at this time, I also have a duty by law to "compel" all others who have not yet transferred their allegiance from the Crown to the Common Law Constitution, via the Committee of the Barons, and I must do all that I can to ensure that others do also.

Therefore I DEMAND that you, K.G. Nielsen defend the English Crown and Church of England as ordered by **Royal Command**.

The problem that we people face in these extremely corrupt and dangerous times, is that there are NO AUTHORISED courts of law where the English and Commonwealth Constitution is being observed, therefore it is impossible to remedy thefts, frauds, war crimes, genocide or **High Treason** etc being

committed by any peaceful means, which said crimes many English and Commonwealth constitutional subjects are being subjected to, and or being **forced** to aid and abet by unwitting agents of the Crown. That is about to change however as more people are becoming more aware of the truth now. The (il)legal system will NOT be able to protect its agents in future.

Whereas the "Courts" (Private Corporate Businesses) are all run by criminally established private corporate enterprise these days, whereby none of them observe the Rule of Law or Due Process of Law within their corrupt tribunal hearings, there is nowhere for the common man/woman to receive remedy against said crimes other than relying on the public to stand by the truth in law. You have a duty of care as a public servant to stand under your Oath to the Common Law, and to abide by the Royal Command to dissent and to distress the Crown at this time, **not the people**.

The facts are all completely evidential. England and the Commonwealth's ancient system of common law is being destroyed by successive quisling governments....if this were not the case then Article 61 of Magna Carta 1215 would not have been invoked in accordance with the correct protocols of English and Commonwealth Constitutional law, obviously (see Exhibit C-Article 61 text).

To deny the English and Commonwealth Constitution publicly is also the criminal offence of **Sedition at Common law**.

Whereas the English Constitutional law has not been taught within universities since the 1960's when Harold Wilson PM criminally prevented the practice, public servants today can be forgiven (up to a point) for not understanding the law, but nobody can convincingly say that they were unaware of the facts once they have been formally Notified of them. Ignorance is no defence in law.

As a result of the general ignorance by the People on these URGENT matters of High Treason etc, which have been reported to the police by many of the people already, I am informing you of my standing so that you are well aware of the facts before any agents under your direction may attempt to enforce illegal policies or to attempt to coerce me to aid and abet those who may seek to do so in future. Any Crown agent from your department/institution attempting to do so from this day forth shall be treated the same as any common criminal, and I may hold you personally liable for their actions or omissions. We all have the right and duty to self defence and to defend ourselves from coercion to aid and abet crime.

If you ignore this Official and URGENT Notice, or do not respond to the specific points addressed herein, and or do not honourably rebut my understandings of the law in substance if you deem them to be wrong in any way, and within Fourteen (14) days from your receipt of this 'Notice Of Lawful Objection & Declaration Of Standing in Law', then it shall be taken to mean by all interested parties, now and at ANY future time whilst the security clause of Magna Carta remains in effect, that **you have no legal/lawful objection to my standing** and, that you will prevent within your power any agents from harassing myself or attending the above address in order to coerce me to aid and abet crime. ANY debt enforcement agent(s) or any other interested Third party agents, allegedly authorised by the Crown under your direction shall be reported to the Police, including but not limited to any harassment, demanding monies with menaces, breach of the peace, criminal damage, thefts and or coercion to commit crime.

Your reply must be made on your full commercial liability and on penalty of perjury and, in accordance with your Oath of Office with a duty of care to the public and to the law. I also require a clearly legible printed name as well as a wet signature with any correspondence received by you or by your Office/department. You are reminded that before any reply to this Notice is provided, please be aware that Sedition is a still a crime in England, and that is has NOT been repealed by CONSTUTIONAL AUTHORITY and remains as law to this day. Sincerely, and without vexation, frivolity or ill will, or in any way intended to deceive whatsoever and, with all my Common law unalienable Rights reserved.

The Above is my Lawful understanding and sworn to on penalty of perjury and on my full commercial liability.

Signed: [MHVB]

Witnessed by:
1. [signature] Jacquie Phoenix
2. [signature] Richard Krueger
3. [signature] John Iggy

Date:
July 5, 2020

[Exhibits omitted.]

Appendix "B": Notice of Default and Opportunity to Cure

[Crest Design
see Appendix "E"]

From: [MHVB]
Address: P.O. Box 445
Carbon Ab.
T0M-0L0

To: K.G. Nielsen doing business as Associate Chief Justice
Alberta Court of Queens Bench
Address: IA Sir Winston Churchill Square, Edmonton Law Courts Building
Edmonton, Alberta
T5J-0R2

Date Notice served

NOTICE OF DEFAULT AND OPPORTUNITY TO CURE

Notice to Agent is Notice to Principal. Notice to Principal is Notice to Agent

Dear K.G. Nielsen,

I, [MHVB] do declare the following to be true and correct to the best of my knowledge;

This is a lawful notice. Please read it carefully. It informs you. **It means what it says.** I do not stand under the Law Society's 'legalese' and there are no hidden meanings or interpretations beyond the simple English statements herein.

A reply to this notice is REQUIRED and is to be made stating the respondent's clearly legible full name and on his or her full commercial liability and penalty of perjury. Your response is required within TEN (10) days from the recorded delivery date of this notice; failure to respond in substance will provide your tacit consent to all of the FACTS contained within this Notice and or any previous Notice served; and that you agree that you are unable to provide lawful proof -of-claim to the contrary. DO NOT IGNORE IT.

You are hereby again put on Notice of my standing and the lawful facts. If you fail to respond to the aforesaid Notices in 'substance' or within the reasonable time frame provided herein, without first legally rebutting the points of law claimed herein or within previous Notice(s) served, it shall be taken to mean by all interested parties that all claims and assertions stated by me herein/therein are true and indisputable lawful facts and, that you agree to them entirely and without exception. It will also be taken to mean that any further action taken against myself as a living constitutional subject of the Realm of England and or, against the fraudulently created 'legal fiction', shall be taken to mean by all interested parties to be harassment, demanding monies with menaces and coercion to aid and abet crime (High Treason) at common law.

I, [MHVB] over the age of twenty one years, whilst mentally competent to witness, and with first hand knowledge of the facts do say the following, that: Article 61 of the 1215 Magna Carta was invoked according to the correct constitutional protocols on March 23, 2001 and is still in effect to this day.

STATEMENT OF TRUTH:

This being the second Notice to be served I use this ‘Notice of Default and Opportunity to Cure’ as a reminder of the first preceding Notice of Conditional Acceptance, which was either ignored or mislaid, or was not answered correctly according to the claims and assertions stated within it in ‘SUBSTANCE’.

Allowing for a reasonable time frame for you to respond to this ‘Notice of Default and Opportunity to Cure’, I hereby offer you this further chance to rebut or confirm my understanding of the common law as referred to in my previous Notice(s) so that you may remain in honour, and thus by doing so enabling an opportunity to remedy this matter by law, amicably so as to save any future breach of the peace or torts being committed.

I hereby attest and affirm that all of the above is the truth and as to my lawful understanding.

Without malice, vexation, frivolity or ill will, and on my full commercial

Sworn and subscribed on the date:

Signed: [MHVB]

Witnessed by:	Date:
1. [signature] Jacquie Phoenix	07/20/2020
2. [signature] DENNIS HUMPHREY	07/20/2020
3. [signature] Kenneth Jack	07/20/2020

Appendix "C": Notice of Default

[Crest Design
see Appendix "E"]

From: [MHVB]
Address: P.O. Box 445
Carbon Ab.
T0M-0L0

To: K.G. Nielsen doing business as Associate Chief Justice
Address: IA Sir Winston Churchill Square, Edmonton Law Courts Building
Edmonton, Alberta
T5J-0R2

Date Notice served: 08 / 05 /2020

Serviced by recorded post.

NOTICE OF DEFAULT

Notice to Agent is Notice to Principle.

Whereas you have failed to respond to the two (2) previous Notices that have been served on you. It is now taken to mean that you and all interested parties agree entirely with the points of law that I previously stated and, that the Alberta Court of Queen's Bench, has no lawful claim against I, [MHVB], since you have provided your absolute tacit agreement to all said previous Notices and information contained within them.

Any hearing with regard to this matter MUST be heard within a properly established court de jure hearing under constitutional law. The law forbids me to consent to ANY other PRESUMED jurisdiction or alleged authority.

I may seek remedy now, or at any future time for any torts that have been or may be committed against me or, if any more unlawful demands are made against me by the Alberta Court of Queen's Bench, with regard to threats of enforcement, or any other claims laid against me. A Counter - claim for damages may ensue against you personally K.G. Nielsen.

You are now in default and dishonour K.G. Nielsen as you have a duty of care, and by law to respond to the very serious constitutional points that I do refer to within said Notices.

I understand that you are doing business as Associate Chief Justice and thus you have the responsibility to manage your affairs according to law. Any further action taken by you K.G. Nielsen against I, [MHVB] whilst my lawful points remain un-rebutted without substance , shall now be accepted by all interested parties to be harassment and criminal coercion to aid and abet crime, of which shall be reported to the police whilst a counter-claim for damages will ensue.

Any reply must be made on your full commercial liability and on penalty of perjury, whilst also providing a legible full printed and signed name of the respondent.

Sincerely, without any admission of any liability whatsoever and, with no attempt to deceive or to be frivolous or to act with ill intent whatsoever.

with all my inalienable constitutional rights reserved and, stated upon my full commercial liability and penalty of perjury.

All Notices served may be presented as evidence in my defence.

With Prejudice.

Signed: [MHVB] 08/05/2020

Witnessed by:	Date:
1. [signature] Jacquie Phoenix	August 5, 2020
2. [signature] Brian McHugh	05 Aug 2020
3. [signature] Guss NASH	05 Aug 2020

Appendix "D": Notice of Conditional Acceptance

[Crest Design
See Appendix "E"]

From: Jacquie Phoenix
Power of Attorney
For
[MHVB]
P.O. Box 445
Carbon Ab.
T0M-0L0

To: Robert A. Graesser doing business as Justice for the Court of Queen's Bench of Alberta
The Law Courts
A1 Sir Winston Churchill Square
Edmonton Alberta
T5J-0R2

Date Notice served:

Sent by recorded post.

NOTICE OF CONDITIONAL ACCEPTANCE

Notice to Agent is Notice to Principle.

Dear Robert A. Graesser,

Please be aware that this is a **Notice**, a lawful instrument that requires your **URGENT** attention. This 'Notice of Conditional Acceptance' may be used as evidence in [MHVB's] defence.

Whereas [MHVB] stand entirely under the tenets of constitutional law in lawful dissent as to her duty under the law and, that it is to my understanding entirely unlawful to comply with your demands at this time, and since the 23rd, March 2001 and, that she has withdrawn ANY/ALL presumed allegiance to the office of Sovereign (Crown) including the Court of Queen's Bench of Alberta due to her individual duties under the law (see exhibit 'F' Oath, of allegiance to the Committee of the Barons), those duties being stated within Article 61 of Magna Carta 1215 (see exhibit 'C', Article 61 of Magna Carta 1215 text), invoked by Royal Proclamation according to the correct protocols of English and Commonwealth law on the 23rd day of March 2001 (See exhibit 'B', Letters between the barons' committee and the office of sovereign). Therefore the law FORBIDS me to comply with your demand(s).

Whereas it cannot legally be denied that the invocation of this most important constitutional tenet did occur on the aforesaid date and, that it stands as the CURRENT LAW of the realm, please provide me evidence in substance to counter this claim within 10 (Ten) days from your receipt of this 'Notice of Conditional Acceptance' and she shall comply with your demand(s) promptly and in full.

[MHVB] does not wish to break the law Robert A. Graesser, if she is coerced/forced under threat into breaking the law by you then you may be held be solely liable for the consequences.

Maxim in law: "Any act done by me against my will is not my act"

The Daily Telegraph reported on the invocation of Article 61 of Magna Carta 1215 on the 24th March 2001. An article by Caroline Davis (see exhibit 'A') can also be viewed online under the title 'Peers petition Queen on Europe'.

The Magna Carta Society wrote: "The House of Lords Records Office confirmed in writing as recently as last September (2009) that Magna Carta, sealed by King John in June 1215, stands to this day.". Home Secretary Jack Straw said as much on 1 October 2000, when the illegal Human Rights Act came into force.
Halsbury's Laws of England says: "Magna Carta is as binding upon the Crown today as it was the day it was sealed at Runnymede."

Therefore [MHVB] does conditionally accept that Robert A. Gaesser and the Alberta Court of Queen's Bench has the lawful authority to make demands on [MHVB], on proof that Article 61 of Magna Carta 1215 is no longer in effect today and, that the ratification of the treaty of Nice has been revoked and, that the crown does indeed, according to English and Commonwealth Constitution law have the legal/lawful authority to make and enforce such demands.
Whilst the law provides me with 'lawful excuse' to distress the crown and its institutions at this time, it is to my understanding that she CANNOT BY LAW consent to the demand(s) by you as Justice of the Alberta Court of Queen's Bench, whereas English constitutional law forbids me to aid and abet the crown until Article 61 has been publicly revoked by the barons' committee. It also forbids me to aid and abet any other man or woman who is not also standing in open dissent in compliance with the law under Article 61 of Magna Carta 1215. I must also compel you Roberta A. Graesser to abide by the constitutional law yourself, and to stand with law abiding people in lawful dissent as the law demands. Failure to respond to this 'Notice of conditional acceptance' within the reasonable time frame allotted, and or without providing evidence in substance that clearly defines that article 61 is no longer in effect, shall be taken to mean by all interested parties (including interested third parties) that Robert A. Graesser and the Alberta Court of Queen's Bench has NO lawful claim against [MHVB] and, that Failure to Immediately restore the property See exhibit G of [MHVB] or any future attempt to extort monies or goods relating to this this matter would be harassment, coercion and demanding monies with menaces, which may evoke a counter claim for damages against the Alberta Court of Queen's Bench and you personally Robert A. Graesser,

A reply to this Notice must be made on the respondents full commercial liability and on penalty of perjury.
We are ALL responsible and culpable for our own actions or omissions under English Constitutional law. Please check the facts for yourself before replying. **Ignorance is no defence in law.**

Sincerely, without any admission of liability whatsoever and, with no attempt to deceive or to appear vexatious or frivolous and, with all my inalienable Constitutional rights reserved.

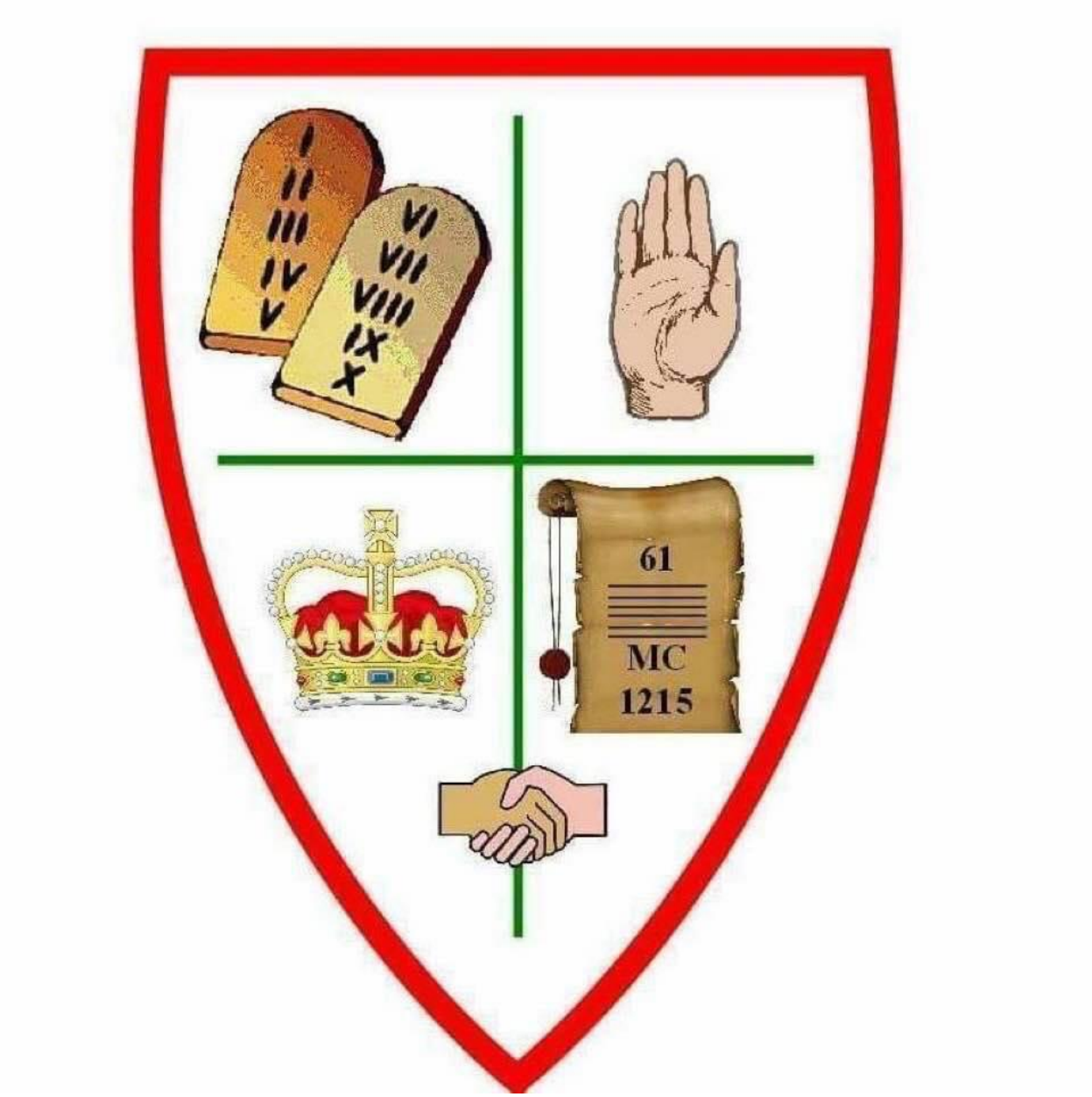
Signed: [Jacquie Phoenix signature]

Witnessed by:

Signature:	Printed name:
Date:	
1. [signature]	Ronald Tremblay
2. [signature]	[MHVB]
3. [signature]	Samuel Myers

[Exhibits omitted.]

Appendix “E”: Practical Lawful Dissent Crest



Appendix “F”: Robinson Letter to AVI’s Counsel:

[Crest Design]

From: Jacquie Phoenix
Power of Attorney
For
[MHVB]
Address: P.O. Box 445
Carbon Ab.
TOM-OLO

To: Kimberly J Kirk
Kurie Queck LLP
Barristers and Solicitors
800 800 Broadmoor Boulevard
Sherwood Park Ab.
T8A-4Y6

Dear Kimberly J Kirk

This is to inform you that [MHVB] is Lawfully standing under Article 61 of the 1215 Magna Carta which was Invoked on March 23rd, 2001 according to Constitutional Royal Protocol. The Court of Queens Bench is an Unlawful Assembly with No Authority to deal with this matter since the Invocation of Article 61 thus All Judgments made by the Court of Queen’s Bench in this matter are Null and Void. [MHVB] and All of her Property are Protected by the Constitution and the People of the Commonwealth Realm. We require the Immediate Restoration of Her Property see the enclosed Exhibit: G in the notice of Conditional Acceptance.

Failure to restore the Property of [MHVB] within 7 Days of receiving this letter will constitute as High Treason, which still carries the Gallows and will also incur a Penalty of $50,000.00 per Day against you personally as well as [AVI]. I urge you to consider **Eichmann vs the People** "I was just doing my job' is no defence. Nuremberg.

Maxim in Law Ignorance of the Law is No Excuse

Sincerely

Jacquie Phoenix

[Signature]

Appendix “G”: Power of Attorney Contract

POWER OF ATTORNEY CONTRACT:

David Robinson-Friday, September 27, 2019

POWER OF ATTORNEY:
-Name- [MHVB]
Address: PO box 445 Carbon AB T0M0L0

I, , do hereby authorize to act with power of attorney on my behalf with regard to any enforcement agency attempting to remove goods or monies with regard to income tax or any other matter involving the law, unless or until I have withdrawn my authority in writing.

Signed: [MHVB]
Dated: 06/27/2020

Name (of POA). Jacquie Phoenix: Robinson
Address: PO Box 445 Caron Ab. T0M-0L0

I, of sound mind and good intent, do solemnly swear to act in accordance with the rule of law at all times, with power of attorney in any affairs with regard to the law and, for no personal financial gain whatsoever for, whilst upholding the laws of the land without deviation.

Signed: Jacquie Phoenix: Robinson
Dated: June 27/2020

Witnessed by:

1. Brian McHugh [signature]
2. Andrea McHugh [signature]
3. Len Cunningham [signature]

Appendix “H”: MHVB Oath of Allegiance

To: Lord Craigmyle
Scottas House,
Knoydart,
Invemesshire
PH414PL

From: PO Box 445 Carbon AB T0M 0L0

Sent by recorded post.
Date: 06/15/2020

OATH OF ALLEGIANCE

I, [MHVB] In full knowledge of treason being committed in Parliament, by delivering the Sovereign Peoples of this Common law land into the hands of foreign powers in understanding of some wrongs done by the present holder of the office of Sovereign, from whom I now transfer my allegiance, do so willingly, and wholeheartedly enter into lawful dissent as the law demands by royal command, and I solemnly swear upon my Oath to obey the direction of the lords of the barons' committee whom invoked Article 61 of the 1215 Magna Carta on the 23rd March 2001, in accordance with the royal command to do so, as long as said barons act strictly according to constitutional law at all times without deviation, and until such times as redress of these present wrongs has been achieved.

Sworn and subscribed on the 06/16/2020

Signed. [MHVB]

Witnessed by:	Date
1. [signature] Jacquie Phoenix	June 15, 2020
2. [signature] Brian McHugh	
3. [signature] Andrea McHugh	