

Federal Court



Cour fédérale

Date: 20110506

Docket: T-1558-10

Citation: 2011 FC 529

Vancouver, British Columbia, May 6, 2011

PRESENT: The Honourable Mr. Justice Pinard

BETWEEN:

**KEITH DAVID LAWSON,
A NATURAL PERSON**

Applicant

and

**THE MINISTER OF NATIONAL REVENUE
AS THE MINISTER RESPONSIBLE FOR
THE CANADA REVENUE AGENCY**

Respondent

REASONS FOR ORDER AND ORDER

[1] The applicant's appeal, pursuant to Rule 51 of the *Federal Courts Rules*, of the order of Prothonotary Lafrenière dated March 29, 2011, denying his motion to amend his notice of application is dismissed, as upon either a *de novo* review or a more deferential review of the Prothonotary's discretion, the order is obviously correct.

[2] First, the sought amendments constitute a collateral attack on the applicant's potential tax liabilities and search warrants issued by the BC Provincial Court which fall outside this Court's jurisdiction.

[3] Second, the applicant challenges primarily administrative and investigatory steps of government officials that are not capable of being judicially reviewed.

[4] Third, the applicant's allegations respecting the Minister's application for a search warrant under the *Criminal Code* versus the *Income Tax Act* (or the *Excise Tax Act*) have no chance of success (see *R v Multiform Manufacturing Co*, [1990] 2 SCR 624; and *R v Grant*, [1993] 3 SCR 233 at paras. 40-43).

[5] Fourth, it is clear, therefore, that the proposed amendments would not facilitate the determination of the real questions in controversy between the parties, and would not serve the interests of justice.

[6] Consequently, the applicant's motion will be dismissed with costs in an amount fixed at \$750.

ORDER

THIS COURT ORDERS that the Applicant's motion is dismissed with costs in an amount fixed at \$750.

I HEREBY CERTIFY that the above document is a true copy of the original filed of record in the Registry of the Federal Court the _____ day of _____, A.D. 20_____

Dated this _____ day of _____, 20_____

Alastair Hull, Registry Officer

"Yvon Pinard"

Judge

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET: T-1558-10

STYLE OF CAUSE: KEITH DAVID LAWSON, A Natural Person v.
THE MINISTER OF NATIONAL REVENUE as the
Minister Responsible for the Canada Revenue Agency

**MOTION IN WRITING CONSIDERED AT VANCOUVER, BRITISH COLUMBIA,
PURSUANT TO RULE 369**

**REASONS FOR ORDER
AND ORDER:** PINARD J.

DATED: May 6, 2011

WRITTEN REPRESENTATIONS BY:

Keith David Lawson FOR THE APPLICANT
(self-represented)

David Everett FOR THE RESPONDENT

SOLICITORS OF RECORD:

n/a FOR THE APPLICANT

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