

Docket: 2013-645(IT)I

BETWEEN:

JAIYSON DILLON,

Appellant,

and

HER MAJESTY THE QUEEN,

Respondent.

Motion heard on July 19, 2013 at Toronto, Ontario

By: The Honourable Justice Judith M. Woods

Appearances:

For the Appellant: The Appellant himself

Counsel for the Respondent: Rishma Bhimji

JUDGMENT

UPON motion by the respondent for an order striking out the notice of appeal and dismissing the appeal with costs,

IT IS ORDERED THAT:

1. the motion is granted,
2. the appellant's pleading styled as "NOTICE OF APPEAL & NOTICE OF DEFAULT & NOTICE OF DISHONOR & NOTICE OF TERMS" that was filed with the Registry on February 22, 2013 is struck out in its entirety without leave to amend,

3. the appeal is dismissed, and
4. the respondent is entitled to costs, fixed in the amount of \$1,000, which shall be paid by the appellant to the respondent no later than August 15, 2013.

Signed at Toronto, Ontario this 30th day of July 2013.

“J. M. Woods”

Woods J.

Citation: 2013 TCC 242

Date: 20130730

Docket: 2013-645(IT)I

BETWEEN:

JAIYSON DILLON,

Appellant,

and

HER MAJESTY THE QUEEN,

Respondent.

REASONS FOR JUDGMENT

Woods J.

[1] The Crown brings a motion for an order striking out a notice of appeal filed on February 22, 2013 and dismissing the appeal with costs.

[2] The motion is brought pursuant to section 53 of the *Tax Court of Canada Rules (General Procedure)*. The Crown submits that the notice of appeal is an abuse of the Court's process since it does not identify any issues that are relevant to an adjudication in respect of the assessment at issue and it does not plead relevant facts in support of the appeal.

[3] Shortly after the hearing commenced with the Crown's argument, the appellant indicated that he wished to interject. I did not permit the interruption, however, because the appellant repeatedly refused to stand to address the Court unless I stepped down from the bench and stood on even ground with him.

[4] Eventually the hearing concluded on the basis that I would decide the motion based on the written material before me and the decision was reserved. The Crown agreed to this procedure.

[5] After the hearing concluded and I had left the courtroom, I was informed by

the court staff that the appellant would not comply with requests to leave the counsel table and eventually the appellant was removed from the premises by the police.

[6] I have now had a chance to review the material before me.

[7] The pleading that the respondent seeks to have struck out is styled as “NOTICE OF APPEAL & NOTICE OF DEFAULT & NOTICE OF DISHONOR & NOTICE OF TERMS.”

[8] It is clear from the language used in this document and the appellant’s conduct at the hearing that this is vexatious litigation of a type described by Rooke A.C.J. in *Meads v Meads*, 2012 ABQB 571, at para 1:

[1] [...] These persons employ a collection of techniques and arguments promoted and sold by “gurus” (as hereafter defined) to disrupt court operations and to attempt to frustrate the legal rights of governments, corporations, and individuals.

[9] It would be an abuse of the process of this Court to permit this litigation to continue. I will grant the respondent’s motion to strike out the notice of appeal without leave to amend and will dismiss the appeal.

[10] I would award costs to the respondent fixed in the amount of \$1,000, which shall be paid by the appellant to the respondent no later than August 15, 2013.

Signed at Toronto, Ontario this 30th day of July 2013.

“J. M. Woods”

Woods J.

CITATION: 2013 TCC 242

COURT FILE NO.: 2013-645(IT)I

STYLE OF CAUSE: JAIYSON DILLON and
HER MAJESTY THE QUEEN

PLACE OF HEARING: Toronto, Ontario

DATE OF HEARING: July 19, 2013

REASONS FOR JUDGMENT BY: The Honourable Justice J.M. Woods

DATE OF JUDGMENT: July 30, 2013

APPEARANCES:

For the Appellant: The Appellant himself

Counsel for the Respondent: Rishma Bhimji

COUNSEL OF RECORD:

For the Appellant:

Name: n/a

Firm:

For the Respondent: William F. Pentney
Deputy Attorney General of Canada
Ottawa, Ontario