Court File No.: T-2559-26

FEDERAL COURT

BETWEEN:	**JEAN-YVES LANDRY (ALSO KNOWN AS MARIE-SOLEIL SESHAT LANDRY)**	Plaintiff *(Responding Party)*
	and	
	HIS MAJESTY THE KING	Defendant *(Moving Party)*

AMENDED STATEMENT OF CLAIM

(Amended pursuant to Rule 200 of the Federal Courts Rules)

TO THE DEFENDANT:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff. The claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or a solicitor acting for you are required to prepare a statement of defence in Form 171B prescribed by the *Federal Courts Rules*, serve it on the Plaintiff, who is self-represented, and file it, with proof of service, at a local office of this Court, within the time provided by the *Federal Courts Rules*.

IF YOU FAIL TO DEFEND THIS PROCEEDING, judgment may be given against you in your absence and without further notice to you.

I. RELIEF SOUGHT

1. The Plaintiff claims:
   a. A declaration under s. 24(1) of the *Canadian Charter of Rights and Freedoms* [*Charter*] that the Defendant, through the Royal Canadian Mounted Police (RCMP) and its servants, infringed the Plaintiff's rights under ss. 7, 9, and 11(e) of the *Charter*;
   b. General damages for negligence and misfeasance in public office, and constitutional damages under s. 24(1) of the *Charter*, in the amount of $2,500,000;
   c. Aggravated damages in the amount of $750,000;
   d. Punitive damages in the amount of $250,000;
   e. Pre-judgment and post-judgment interest pursuant to the *Federal Courts Act*; and
   f. Such further and other relief as this Honourable Court deems just.

II. THE CROWN SERVANTS

2. The Crown servants whose conduct is in issue are identified below by position, office, and period:
   a. **The Court Section Employee:** The federal public service employee(s) of the court section at the Codiac Regional RCMP Detachment in Moncton, NB, responsible for logging court dispositions, who entered the October 31, 2016 disposition in RCMP file 2016-84414;
   b. **The Records Custodians:** The RCMP members and federal public service employees responsible from October 31, 2016 to July 2025 for the accuracy and maintenance of PROS and CPIC records; and

2. c. **The Reviewing Officers:** The RCMP members of the J Division Professional Responsibility Unit and Criminal Operations who reviewed file 2016-84414 in 2023.

III. MATERIAL FACTS

A. Withdrawal of the 2016 Charges

3. On January 22, 2016, the Codiac Regional RCMP opened occurrence file 2016-84414 charging the Plaintiff with indecent act (s. 173(1)(b)) and assault (s. 266) in Provincial Court File 33094001.

4. On October 31, 2016, in Courtroom 6 of the Provincial Court of New Brunswick at Moncton, before Her Honour Judge Jolène M. Richard, Crown Prosecutor Éric Lalonde **withdrew both charges**. No finding of guilt was made, and no guilty plea was entered.

B. Creation and Maintenance of False CPIC Conviction Records

5. Following the withdrawal, the Court Section Employee recorded the disposition of case 33094001 as guilty convictions on both counts in PROS and CPIC.

6. CPIC is the national police database operated by the RCMP and relied upon by police, Crown prosecutors, and criminal courts during show-cause bail hearings and judicial assessments.

7. The false indecent act conviction entry remained active in CPIC until May 2023 (2,373 days after withdrawal). The false assault conviction entry remained active in CPIC until July 2025 (3,195 days after withdrawal).

C. Deprivation of Liberty & Prejudicial Use in Judicial Remands

8. Between late 2016 and 2021, the Plaintiff appeared on subsequent provincial court matters. At each show-cause and bail appearance, prosecutors and judges were provided CPIC records displaying active convictions for violent and sexual offences.

9. The false CPIC entries directly prejudiced the Plaintiff's liberty analysis under s. 515(10)(b) and (c) of the *Criminal Code*, resulting in pre-trial detention and s. 672.11 assessment remands totaling approximately 1,000 days.

10. The Plaintiff does not seek to set aside or vary any provincial court order, but claims damages for the Defendant's tortious and unconstitutional creation and dissemination of false evidentiary records supplied to decision-makers.

D. RCMP Acknowledgements & Delayed Correction

11. In September 2023, S/Sgt. Chantal Roger (J Division Professional Responsibility Unit) confirmed in writing that an administrative error was made by an employee in 2016.

12. On December 1, 2023, Assistant Commissioner DeAnna L. Hill acknowledged the administrative error in writing. Despite this admission, the RCMP maintained the false assault conviction in CPIC for an additional 20 months until July 2025.

IV. CAUSES OF ACTION

A. Negligence

13. The Records Custodians and Court Section Employee owed a duty of care to the Plaintiff to record judicial dispositions accurately. They breached this duty by logging withdrawn charges as convictions and failing to audit the record for nearly nine years.

B. Misfeasance in Public Office

14. From no later than September 2023, the Reviewing Officers and Records Custodians possessed actual knowledge of the false entries. In deliberate breach of public duty, they maintained the false assault conviction on CPIC until July 2025, knowing it would cause severe harm to the Plaintiff.

C. Charter Infringements (ss. 7, 9, 11(e))

15. By supplying false conviction records to criminal courts, the Defendant breached the Plaintiff's right to liberty under s. 7, subjected her to arbitrary detention under s. 9, and denied her reasonable bail without just cause under s. 11(e). Damages under s. 24(1) are just and appropriate.

V. PARTICULARS OF COURT APPEARANCES & CPIC IMPACT (PARAGRAPH 17)

16. As pleaded in Paragraph 17 of this Claim, the specific provincial court appearances, file numbers, presiding judges, and custodial/remand orders affected by the active CPIC false conviction record between 2016 and 2025 are set out in **Appendix A** attached hereto.

APPENDIX A: MASTER CHRONOLOGY OF PROVINCIAL COURT DATES & ORDERS

DATE	FILE #	JUDGE	PROCEEDINGS & ORDERS	CPIC STATUS & IMPACT
Oct 31, 2016	33094001	Richard J.	s. 173(1)(b) & s. 266 charges **WITHDRAWN** by Crown Prosecutor Éric Lalonde.	**Core Error:** Logged in PROS/CPIC as active guilty convictions.
Jan 27, 2017	37441501	Vautour J.	Initial appearance on new Information; adjourned for disclosure.	False violent/sexual convictions active on CPIC.
Feb 21, 2017	37441501	Vautour J.	Appearance; matter adjourned to March 7, 2017 for plea/election.	Active false convictions on CPIC record.
Mar 7–8, 2017	37441501	Lampert J.	Remanded in custody; appearance for jurisdiction.	CPIC record with false convictions before court.
Mar 27, 2017	33501301	Sweet J.	Remanded in custody; election/plea triage set for April 4.	False s. 173(1)(b) & s. 266 convictions active.
Apr 4, 2017	33501301	Dubé J.	Guilty plea on minor count; **sentenced to 10 days deemed served**.	Custodial length informed by false CPIC background.
Apr 19, 2017	33571101	Richard J.	Remanded in custody; s. 145(3)(a) charge **WITHDRAWN**.	False CPIC record active during show-cause review.
Apr 28, 2017	33593801	Volpe J.	**s. 672.11 Assessment Order** issued; remanded to Restigouche Centre.	Assessment ordered while false violent record active.
May 2, 2017	33540101	Richard J.	In custody at Restigouche on related assessment; adjourned to May 26.	Extended custodial assessment order active.
May 26, 2017	33593801	LeBlanc J.	Adjudicated **Not Criminally Responsible (NCR)**; Count #2 withdrawn. Remanded.	Liberty outcome determined under shadow of false record.

DATE	FILE #	JUDGE	PROCEEDINGS & ORDERS	CPIC STATUS & IMPACT
May 31, 2017	33540101	Richard J.	Adjourned to June 19 for NCR evaluation alignment across files.	Remanded under Review Board / Hospital custody.
Jun 19, 2017	33540101	Richard J.	**NCR disposition recorded** per Dr. Holly report; remanded to Restigouche.	False CPIC record remained uncorrected.

APPENDIX A (CONTINUED)

DATE	FILE #	JUDGE	PROCEEDINGS & ORDERS	CPIC STATUS & IMPACT
Sep 5, 2017	33730701	Mathurin J.	s. 733.1(1)(b) charges **WITHDRAWN**; released without penalty.	CPIC database errors unresolved by RCMP.
Nov 27, 2019	34640601	Volpe J.	Pre-trial / bail proceedings; Crown objecting to release.	False convictions active on CPIC.
Dec 18, 2019	34640601	Volpe J.	Court appearance on summary charges; remanded.	Active false assault conviction on CPIC.
Aug 12, 2020	34640601	LeBlanc J.	Pre-trial conference and scheduling appearance.	Active false assault conviction on CPIC.
Dec 15, 2020	34640601	Duffie J.	Trial scheduling appearance; adjourned to Jan 2021.	Active false assault conviction on CPIC.
Feb 23, 2021	34640601	Duffie J.	Disposition: **Suspended sentence and 18 months probation**.	Active false assault conviction on CPIC.
May 2023	*RCMP Record*	—	**Indecent act conviction deleted** from CPIC by RCMP (2,373 days late).	Indecent act purged; assault conviction retained.
July 2025	*RCMP Record*	—	**Assault conviction deleted** from CPIC by RCMP (3,195 days late).	Both false entries purged following administrative complaint.

VI. PLACE OF TRIAL

17. The Plaintiff proposes that this action be tried at the City of Moncton, in the Province of New Brunswick.

DATED at Moncton, New Brunswick, this 6th day of November, 2026.

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