THE REALITY

WITHDRAWN

THE SYSTEM

CONVICTION - CPIC

The Anatomy of a 3,195-Day Error

Landry v. His Majesty the King (T-2559-26)

An analysis of systemic failure, Crown liability, and the fight against a Motion to Strike.

Plaintiff's Responding Motion Record

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One Keystroke. Three Years of Lost Liberty.

In 2016, a Crown prosecutor withdrew charges against the Plaintiff. A federal court section employee erroneously recorded them as convictions on the national police database (CPIC). This false record of violent and sexual offenses was repeatedly used to deny the Plaintiff reasonable bail over the next three years.



October 31, 2016: Charges Withdrawn



Entered as Convictions in CPIC



~1,000 Days in Custody

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The True Reality



The System Reality

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The Anatomy of Deprivation

Step 1 (Source): Court Section Employee enters false disposition data into RCMP file 2016-84414.

Step 2 (System): PROS & CPIC systems update nationally with false sexual/violent convictions.

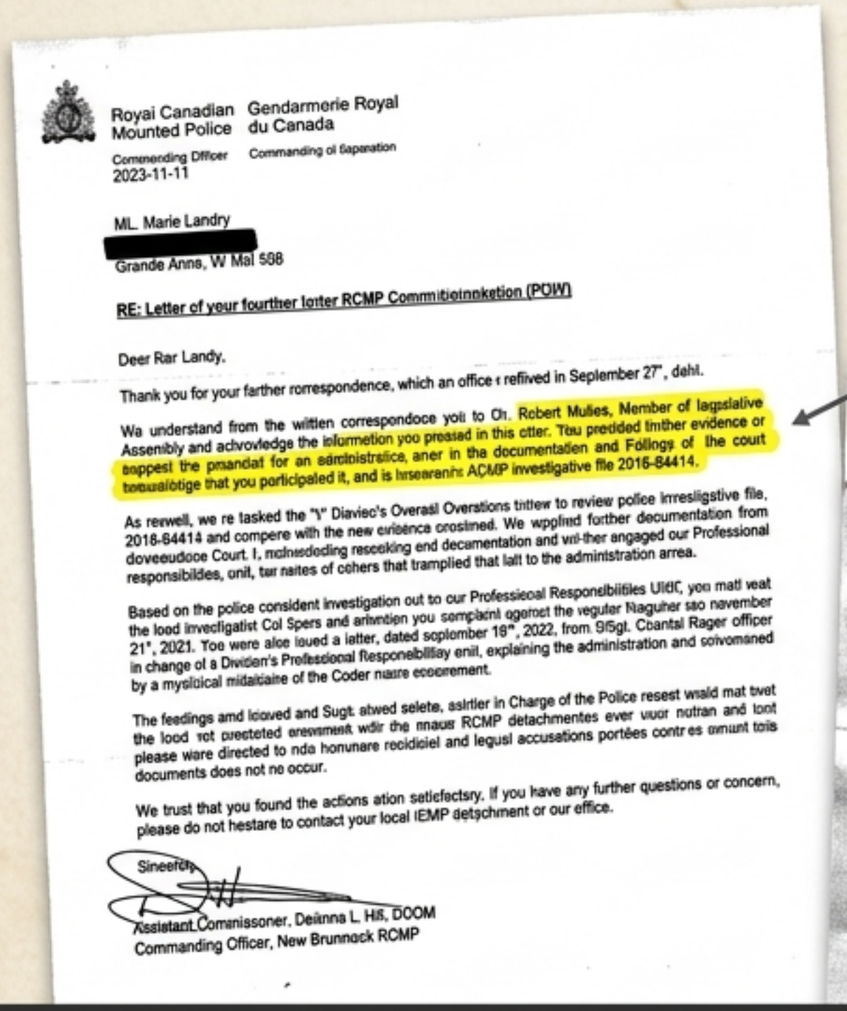
Step 3 (Application): Crown Prosecutors access CPIC at show-cause hearings for the Plaintiff's subsequent charges.

Step 4 (Reliance): Presiding Justices rely on the poisoned CPIC record.

Result (Impact): Denial of Reasonable Bail. (A s. 11(e) Charter violation).

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The Undisputed Fact: The RCMP's Own Admissions



Royal Canadian Mounted Police / Gendarmerie Royal du Canada

Commanding Officer / Commanding ol Separation

2023-11-11

ML. Marie Landry

[redacted]

Grande Anns, W Mal 598

RE: Letter of your fourther lorter RCMP Commitioinnketion (POW)

Deer Rar Landy.

Thank you for your farther rorrespondence, which an office r refiived in September 27", dehl.

Wa understand from the wiitten correspondoce yoli to Ch. Robert Mulies, Member of lagislative Assenibly and achvovledge the iolformetion yoo preasad in this otter. Tau predided tmther evidence or soppest the prsandat for an sdministratice, aner in the documentatien and Foilogs of the court tonsualotige that you particlpated it, and is hrsearenhs ACMP investigative file 2016-84414.

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Based on the police consident investigation out to our Professieoal Responslbilities Ulitit, yoo matl veat the lood invecligatist Col Spers and arinntion you somplaint ogenst the veguter Naguher sao navember 21", 2021. Toe were aloe loued a latter, dated soplomber 18", 2022, from SISgt. Cbantal Rager officer in change ol a Dividen's Professional Responelbiliay enit, explaining the administration and solvomaned by a mysiiical midaitaine of the Coder naure ecoerement.

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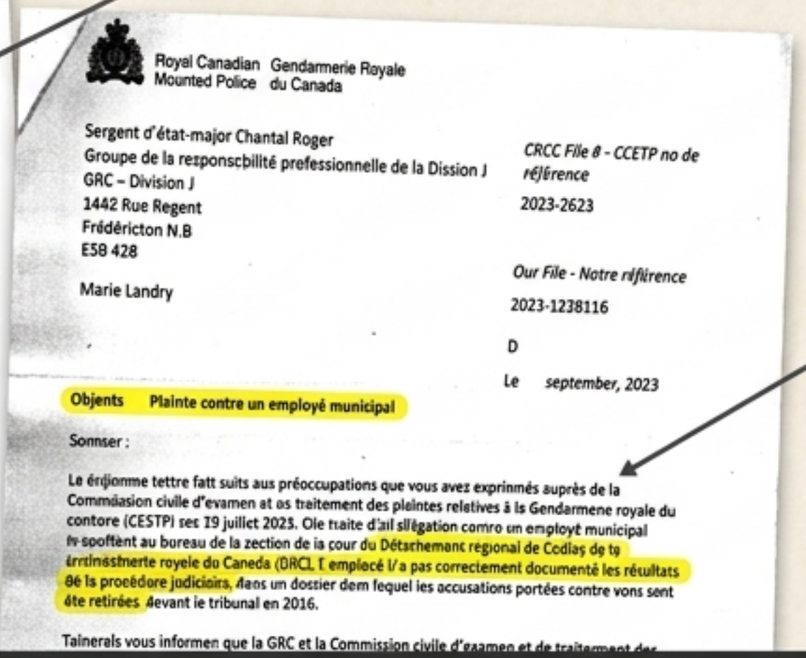
We trust that you found the actions ation setiefactsry. If you have any further questions or concern, please do not hestare to contact your local IEMP detschment or our effice.

Sineefely,

Assistant Comnissoner, Deanna L. Hill, DOOM
Commanding Officer, New Brunnack RCMP

"employee... had not correctly documented the results of the court proceedings..."

- S/Sgt. Chantal Roger



Royal Canadian Mounted Police / Gendarmerie Royale du Canada

Sergent d'état-major Chantal Roger
Groupe de la responsbilité prefessionnelle de la Dission J
GRC – Division J
1442 Rue Regent
Frédéricton N.B
E5B 428

Marie Landry

CRCC File # - CCETP no de référence
2023-2623

Our File - Notre référence
2023-1238116

D

Le *september, 2023*

Objents **Plainte contre un employé municipal**

Sonnser :

Le érdjonme tettre fatt suits aus préoccupations que vous avez exprinmés auprès de la Commdasion civile d'evamen at os traitement des pleintes relatives à ls Gendarmene royale du contore (CESTP) ses 19 juillet 2023. Ole traite d'ail sllégation comro un employé municipal ns spoftent au bureau de la zection de ia cour du Détarchemanc regional de Codlas de tg arrtinéstnerte royele du Caneda (DRCL T employé l/a pas correctement documenté les résultats 8é ls procédore judiciairs, dans un dossier dem fequel les accusations portées contre vons sent ôte retirées devant ie tribunal en 2016.

Tainerals vous informen que la GRC et la Commission civile d'examen et de traitement des

"an administrative error had been made in RCMP investigative file 2016-84414..."

- Asst. Commissioner DeAnna Hill

The Defendant does not contest that a catastrophic clerical error occurred.
The only debate is who holds liability.

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The RCMP's Claim

RCMP letters (Exhibits A & B) attribute the mistake to a municipal employee of the City of Moncton, attempting to **push jurisdiction** outside the federal public complaint process.

The City of Moncton's Reality


Gmail

Formal Puklis Compiaint and Demand for Restitution of $50 Million Due to City of Mencten Employee Misconduct

Laura Armes <laura.armes@moncton.ca> 5 December 2024 at 13:50 To: "meridendrycee@gmail.com" <nancilandrycee@gmail.com>

Gocti Mlamcen Marie,

Please see attached response.

It has been determinod that the person that allegedly made an error was not a City of Monclon employee. I wish you all the besi,

Laura Armes

City of Moncton internal review confirms the individual was not an employee of the City and was a Public Service Employee of the Federal Government.

The Legal Reality (CLPA)

Regardless of the bureaucratic buck-passing, **the Amended Claim targets the Federal Crown**. Under the *Crown Liability and Proceedings Act* (CLPA), the Crown is vicariously liable for both federal public service employees and RCMP members.

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Defeating the Motion to Strike

Rule 221(1)(a): Plain and Obvious Hurdle

The Threshold

To strike a claim under Rule 221(1)(a), the Defendant must prove it is plain and obvious that the claim discloses no reasonable cause of action.

The Plaintiff's Cure

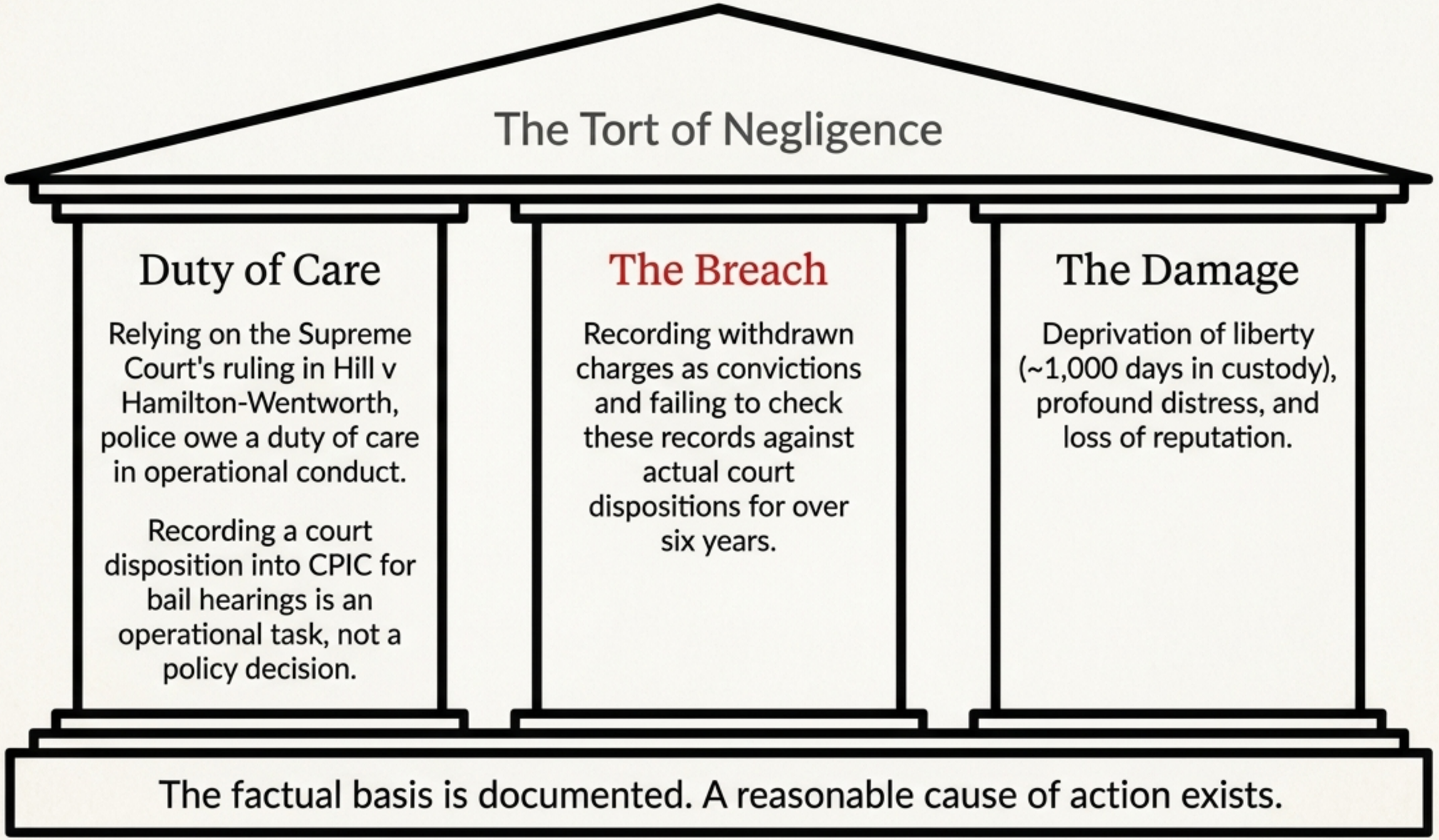
Under Rule 200, the Plaintiff filed an Amended Statement of Claim before a defense was entered. This amendment cures previous drafting defects, identifies specific Crown servants by position, and particularizes the facts.

The Result

The amended pleading easily clears the "plain and obvious" hurdle across three distinct legal frameworks.

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Cause of Action 1: Negligent Operational Conduct



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Cause of Action 2: Misfeasance in Public Office

Misfeasance requires deliberate unlawful conduct and an awareness it will injure the plaintiff (Odhavji). The Amended Claim carefully restricts this tort to a specific 20-month window:

The Red Zone (Sept 2023 - July 2025)

The Knowledge	The Duty	The Inaction
By Sept 2023, RCMP officers reviewed recordings and acknowledged the error in writing.	Under s. 6(2) of the Privacy Act, they had a strict legal duty to correct it.	They deliberately kept the false assault conviction live in CPIC for an additional 20 months, knowing the severe harm such records cause in the justice system.

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Cause of Action 3: Charter Violations

The Legal Guarantee

Sections 7, 9, and 11(e) of the *Charter of Rights and Freedoms*.

> "Guarantees the right not to be deprived of liberty except in accordance with fundamental justice, and the right not to be denied reasonable bail without just cause."

The Real-World Application

Supplying false conviction records to presiding Justices creates a fabricated "just cause" for detention. This directly deprived the Plaintiff of liberty and contributed to arbitrary detention.

Damages are explicitly available under s. 24(1).

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The Target is the Record, Not the Court

The claim is not frivolous, vexatious, or an abuse of process. Crucially, it is NOT a collateral attack on the court system.





> “Saying that the Crown’s servants supplied false information to a court is not an attack on the court’s order. The justices are not said to have erred on the record before them; the claim is that the record given to them was false.”

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Requested Order & Relief Sought

The Procedural Ask	The Damages Ask (s. 24(1) Charter & Torts)
Dismiss the Defendant's motion to strike.	$2,500,000 in General Damages.
Declare that the Plaintiff may serve and file the Amended Statement of Claim (filed without leave under Rule 200).	$750,000 in Aggravated Damages.
Require the Defendant to serve a Statement of Defence within 30 days.	$250,000 in Punitive Damages.

A 3,195-day deprivation of accuracy demands accountability. The Amended Statement of Claim is grounded in documentary evidence, discloses reasonable causes of action, and must be allowed to proceed to trial.

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