

TURMEL: Alan Young's lies beaten up some more

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From: John Turmel (*bc726_at_FreeNet.Carleton.CA*)

Date: 11/29/04

Date: 29 Nov 2004 07:22:10 GMT

>*From:* doug_laurie_nielsen <*buds_4_life@rogers.com*>

>*Date:* Sun Nov 28, 2004 9:43am

>*Subject:* Re: TURMEL: From Alan Young – True or False? False.

D&L: Alan got Terry an extention instead of just leaving the law dead.

JCT: No he didn't. He cost Terry his exemption. Terry had protection until the government complies with the court in Parker to protect him and Young helped the Crown have Terry's life-time protection taken away. That's why Terry's mad. Young cost him his constitutional exemption.

D&L: Courts strike down the law & then it should be made public knowledge & the crowns should tell the cops to stop busting everyone, but that hasn't happened either.

JCT: Those Crowns who knew the truth have caused mischief by having innocent people busted under a law they know is bad. Innocent people killed under a law they know is bad.

Of course, Young is going to say that he urged Chapnik to give Parker an exemption after he helped take it away. Why? Answer at the bottom.

D&L: We know a little of the story & are glad John is not like Alan.... we wouldn't be doing all this for Alan. He met with Terry & John the day before that case & all was set to go... until the next day when he stabbed the knife in their backs... he got to speak & no one else. The crown introduced Alan to the judge & asked if he could do the talking for all. Terry agreed thinking things were all set...this is why we don't use a lawyer, you never get to talk once you do. They're always running around behind your back making deals.

Alan had a good reason to let this happen, but won't say what that was.

JCT: Alan keeps ducking the important questions and answering things out of context and timeframe.

D&L: We've seen emails that John posted here from Alan sent to him, acting like he wants to help.... HE DID NOT HELP!!!! We always get told we're dwelling on the past, when we mentioned anything at ccc. It was only 1 year ago that Alan screwed us all, not ancient history & it's still affecting everyone. John on the other hand is still in the courts fighting...where's Alan? D & L

JCT: Alan helped Alison Myrden end the summer of legalisation so she can go on a national tour to end prohibition!

>From: drgreenthumb4twenty <drgreenthumb4twenty@yahoo.com>
>Date: Sun Nov 28, 2004 2:20pm
>Subject: i was wondering...

DR: Hey John is there any way for somebody to speak to a judge in a court if you are not charged with anything? I was just wondering if there was any way that I can get copies of this timeline to a whole bunch of the judges so that they are aware of the state of the law regarding cannabis possession and cultivation.

JCT: It's sad that the whole judiciary haven't done their homework. It's sadder that defence lawyers haven't done theirs. All the judges were wrong about Terry Parker Day and found many innocent people guilty they never corrected. All the lawyers were wrong. Sure makes the one guy who was right feel real good about it. And it's happening again with POLCOA.

DR: Then they would be required to let defendants who are representing themselves aware of this problem the crown has with the non-existing charges?

JCT: Actually, it's the Crown Attorneys' job and they're pretending it's still alive. Maybe someday we'll have the chance to put some government lawyers in jail for their mischief and genocide.

DR: Aside from that, do you think I would get hassled by the police if I stood in front of the court house in winnipeg before sessions and hollered "free pot defence kits!" to try and fish out those going in on pot charges?

JCT: No you wouldn't get hassled but you'd single-handedly start a revolution in your province they wouldn't be able to thwart.

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DR: Do I have to identify myself to any cops or carry identification if they are not charging me with anything?

JCT: Probably not but who cares. You're hitting them with a legal move they fear. No one's going to bother you. Get out and do it and see.

>From: doug_laurie_nielsen <buds_4_life@rogers.com>
>Date: Sun Nov 28, 2004 3:04pm
>Subject: Re: TURMEL: From Alan Young – True or False? False

D&L: We got the boot too

JCT: Ron drew the slimy Prefessewer out of his hole:

D&L: We can't let Ron & Ann take all the blame,

JCT: or credit

D&L: we got kicked out of ccc too :o) for stating the truth.. doesn't look good for them.

JCT: Credit, for sure.

D&L: Here's a compilation of some posts we put on the ccc. They are only our posts that we put in, no replies so don't have a bird Deb.. I know your reading. lol if Ron & Ann will allow their posts to be put here we have them ALL too :o) D & L

From: "doug_laurie_nielsen" <buds_4_life@r...>
Sent: Thursday, November 04, 2004 11:05 PM
Subject: Re: [CCC] what the hell's going on with Alan Young

How is prohibition still there after that case?... Did parliament legislate a new law?...NO..Or...did what a Judge opinioned, somehow become misconstrued as him being able to resurrect a dead law?

>From what we've researched Parliament didn't make a new law since 2001 when everyone admits it died. Judges don't have the power to create laws, only parliament & the judge in this particular case refused to sign the order saying he resurrected the law.

So therefore it was just an opinion & the law is still dead....but you are right, somehow we still have to fight to prove they didn't fix the law that day...That is sad. D & L

>From: doug_laurie_nielsen <buds_4_life@rogers.com>
>Date: Fri Nov 5, 2004 3:38pm
>Subject: Re: [CCC] what the hell's going on with Alan Young

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You're right, they will still bust you for having it, but that doesn't make them right. It's up to the C.A. office to tell the cops to stop, but since they won't, we need to stand up & fight.

They won't admit to the law still being dead until they actually pass legislation again. It would cause a free for all situation. We had a very good long talk with our arresting officers & they are really not bad guys at all. There are a lot of cops that just aren't educated to what's been going on in the courts. We look at it like they are doing what their bosses tell them to do.

JCT: Why should they be when the whole judiciary and bar are once again all wrong and The Engineer is once again right?

>From: *doug_laurie_nielsen*
>Date: *Sat Nov 6, 2004 0:22am*
>Subject: *Re: Yet Alan Young defend himself*

"Hell, you people are actually sticking up for a person who said that the law is alive and well? Go figure!!" D & L We're all for freedom of speech.... Not only did he say the law was alive & well, but we recall reading a certain letter about the Pitt hearing that was posted with these opening lines..."

"I attended at the recent Parker hearing for two purposes. First, to ensure that Turmel's motion to invalidate the law would not proceed...."

D&L: We didn't say these words, he did so don't get mad at us too... It's just... that statement doesn't sound like someone who wants to try & beat down the MJ laws & free everyone to us, & it didn't sound like he had Terry's best interests in mind either, if you read it all.

It seems we're all just looking for answers, but when you ask any touchy questions you get attacked or told not to speak...What country is this again??? D & L

>From: *doug_laurie_nielsen <buds_4_life@rogers.com*
>Date: *Sun Nov 7, 2004 9:08am*
>Subject: *Re: [CCC] Canada Safety Council proposal on cannabis and driving*

We like that Marc...come to an end before Christmas... wouldn't that be the best present ever :o) With the way that they've been able to hide the facts through wording & media, we were beginning to wonder if the public would ever know the truth about the state of the law over the last few years. In the next couple of months we should have that eye opener in the courts & if successful no one will need to

worry about being charged :o)

>From: doug_laurie_nielsen <buds_4_life@rogers.com
>Date: Sun Nov 7, 2004 0:01am
>Subject: Re: [CCC] Canada Safety Council proposal on
cannabis and driving

D&L: Only Parliament can Legislate a new law. Once it was declared dead no judge could bring it back. So why does everyone think it came back to life?... The media is what everyone listens to first... If you have a person that has high standing in the public eye walk out of the court room & say "The free rein on marijuana has come to an end as of today", well then people will believe that person.

JCT: That was Alan Young's role on the day the Hitzig–Myrden decision ended the period of legalisation.

D&L: Especially if that person was supposed to be fighting for the public's constitutional rights... It's sad to think of all the people out there getting busted that don't know that their rights are being violated & that they can fight back & really make a difference... D & L

From: doug_laurie_nielsen <buds_4_life@rogers.com
Date: Sun Nov 7, 2004 10:34pm
Subject: Re: A question of Constitutionality or not

J. Doherty signed a judgment, but didn't include the part where he resurrected the law. When he was asked to put that in the order last month, he refused, but the damage was already done when his opinion was announced as law by Alan in Oct. 2003.

Meanwhile people like us are being prosecuted under a law that was really just an opinion... A court ruling ultimately bases down to what is in the order... so... no resurrected law in the order... means no law.

This & parliament being the only ones to create laws are basic fundamentals of law & we learned that in high school... so we're sure Alan knew that when he declared the law was fixed....(no pun intended..lol)

JCT: Is it possible that a York University Osgoode Hall Law School Professor doesn't know this?

D&L: So that's a VERY good & legitimate question Ron that deserves an answer. Not only did he agree with the ruling, but he was the first one to spread the news...why?

JCT: He actually boasted how the period of legalisation was ended at "9am this morning" by his Hitzig–Myrden ruling resurrecting the law. Young's the one who broadcast that the law had been resurrected and if a law professor is telling everyone that the court resurrected it, who is going to doubt it?

D&L: Then there's Marc Emery pleading guilty to trafficking for 4 joints & saying he's got a not guilty defence, but never presents it....what is really going on with these activists? D & L

JCT: Actually, he never said he had a defence to present. That's what belied his statement that he was expecting his lawyer to present a defence. When asked "what defence?" he didn't know. Because he wasn't expecting his lawyer to plead him not guilty. He lied. Again.

>From: *doug_laurie_nielsen* <*buds_4_life@rogers.com*
>Date: Sun Nov 7, 2004 10:
>Subject: Re: [CCC] A question of Constitutionality or not

D&L: We're sure there's more than just a few that would like the answers, so posting it would be appreciated D & L
** Since Alan addresses us personally in his reply & you all have taken the time to read this far, we feel it should be posted in it's entirety for all to read. He made several other posts AFTER this one, but we could only watch & couldn't post. They made sure we couldn't dispute the crap he was spouting. Kenn (and others)

AY: As you have indicated that you find the questions from Doug and Laurie interesting and reasonable, I will answer quickly. I hesitate to respond to demands that I explain myself especially from people who do not know me or do not my work.

JCT: It's not his past work we want to hear about, it's about his recent sabotage. Notice it's the same story we heard out of Emery's camp. Why lie about confessing and pleading guilty and he tells us about all the good things he's done for the movement to balance his betrayal.

AY: However, you did not demand a response in the accusatory way that Ron and Anne, Doug and Laurie have done, so I feel obliged to provide you with some thoughts.

First, I am really tired of responding to the ancient Turmel rant about me railroading Terry Parker's motion to invalidate in 2002. I worked closely with Terry and his lawyer on his famous case and have helped Parker with many

other legal problems. When Terry teamed up with Turmel, they launched a case to invalidate the possession offence in 2002, without any credible supporting material.

JCT: I've already pointed out that helping Parker before doesn't explain stabbing him in the back now.

AY: I intervened to delay his case

JCT: Yes, he helped the Crown delay his case to declare the law dead so Alan Young could launch his case to get the law declared alive again.

AY: until the evidentiary record in Hitzig had been completed (a few months) so that Terry's case would also have some compelling evidence to use to support his claim (beyond Turmel's bizarre and alienating argument about genocide).

JCT: But Terry had already won without all the evidentiary record Alan thought he needed to win. Terry won with only the two Aces I provided, proof his exemption expired and proof his doctor had been warned not to sign by the OMA.

AY: Everyone got their day in court and nothing was lost.

JCT: Terry lost his exemption and nothing was lost by Young's underhanded intervention to delay our case to declare the law dead. He succeeded and everyone busted in those years should take the time to thank Young for his efforts.

AY: Now on to more important questions. When I was in the Ontario Court of Appeal to argue Clay, we all agreed to combine Terry's case with the Clay case. An odd thing happened. The medical issue got intertwined with the recreational issue (this had not been raised by any of the lawyers) and we obtained a new avenue to challenge the marijuana prohibition. That is, the ruling that the possession offence would be invalid if no meaningful medical program had been established within a year.

JCT: "we obtained?" Young's claiming credit for Aaron Harnett's case too?

AY: In actuality, a medical program was established in 1999 (governed by the Interim Guidance Document) as a result of litigation commenced by Jim Wakeford and I in 1998. Oddly, the initial 1999 program worked better than the MMAR, which was the government's response to the Parker case.

JCT: Is he going to list all the good things he's done in the war to end prohibition to balance his bringing it back to life?

AY: In any event, under the old program (and under the original MMAR) there were no provisions for legal access, so Wakeford instructed me to bring another case about supply and access. (One of the people demanding a response from me suggested that I had said negative things about Wakeford – I am offended by this – Wakeford is an unsung hero of this movement and I admire him – he suffered greatly to put medical marijuana on the map in Canada.)

Wakeford's case sought access from NIDA, GW PHARMA, compassion clubs and any other source which the government was willing to authorize. Failing court ordered supply, we were seeking invalidation of the CDSA. We lost in court but Alan Rock decided that he would create a domestic source of medicinal marijuana to answer Jim's demands. Thus the birth of PPS.

JCT: Wrong—Way Young was thrown out of provincial court for being in the wrong court. Federal court only deals with the Feds, a lesson this law professor never seems to have learned considering his Hitzig application against Health Canada was also against the feds.

AY: While all this was going on, the MMAR came into force and it was clear that it was institutionally deficient. This led to the development of the Hitzig case

JCT: Note how he jumps over helping the Crown set aside the first ruling that the government had not complied with the Parker ruling so he could go after a new same declaration.

AY: (Wakeford had now left Ontario) and the collection of evidence for the first year of operation of the MMAR to show that it did not provide compassionate access and was obstacle-laden.

The large group of participants in the case were advised that the objective of the case was two-fold: 1) to invalidate the CDSA prohibition on possession (as per Parker case);

JCT: He keeps repeating it in order to claim credit for it but he never argued it, not once. Don't consider what he says, he's lawyering. Consider what he did, revalidate the CDSA prohibition they admit Parker had had struck down.

AY: 2) or, if this was not successful, to improve eligibility and access to the program. We were never sure which way the case would go, but I thought that the

government would never want to be a distributor of pot and that their failing would lead to the invalidation of the marijuana possession offence.

JCT: More lawyering if you consider the final result.

AY: Ultimately, the Ontario Court of Appeal in October 2003 pulled another surprising move. They were not interested in our position that the MMAR was invalid (and so the CDSA would also be invalid). They were not interested in our position that the government should supply quality marijuana to those authorized to use it.

They decided (on their own initiative, as this was not argued in court) to strike down a few provisions of the MMAR (to improve eligibility and access), and indirectly this saved the invalidation of the CDSA.

JCT: Two years too late? Here's the law professor telling the world that "this saved the invalidation of the CDSA" two years after it had died. A law professor. Har har har har. Someone should pass this out at his Law School asking if he's right.

AY: Now, while the case was working its way to the Court of Appeal, the government was afraid they would lose the CDSA on July 9, 2004 because of the lower court decision of Lederman demanding that the supply issue be addressed by that date. On July 8, 2004, they passed a quick regulation allowing PPS to distribute to authorized patients.

JCT: He's saying it saved their MMAR despite the court's invalidation?

AY: They have now made that interim policy a final policy. In theory, the Hitzig case was a resounding success from the medical perspective. Improving the medical program is clearly more responsive to the claims of patients than would be decriminalization.

JCT: But it was completely legal so there was no impediment other than Alan misleading them into believing his helping set Pitt's ruling that the government had not complied with Parker somehow meant it wasn't official yet.

AY: I was always uncomfortable using the medical angle, inadvertently triggered by the Parker case, to seek invalidation or decriminalization.

JCT: He was always uncomfortable with the winning medical argument. His losing recreational one in Clay bit the dust.

AY: I was always hoping that Clay/Caine/Malmo–Levine would do the job, but all angles had to be played.

JCT: Count on loser Young betting on the loser recreational argument and winner Turmel betting on the winning medical.

AY: So in some ways I was happy with the result in Hitzig, only to discover once again that Health Canada has made a bigger mess of the problem in responding to the case.

JCT: He must be upset that they re–instated the unconstitutional conditions causing the new absence of a constitutionally acceptable medical exemption. He can't crow that his Hitzig–Myrden case ended the legalisation now that Health Canada's actions have invalidated it again. I guess the Government's going to call Alan Young to the rescue to make marijuana prohibition valid again. Though I can't imagine how anymore.

AY: As for the accusation that I will not publicly state that the law is dead, this is silly.

JCT: What is silly? That the law is dead or that Young won't state the law is dead after boasting his Hitzig–Myrden ruling had brought it back to life?

AY: Until a high court rules the law is alive and not–so–well, it is regrettably business as usual.

JCT: Until a high court over–rules his Hitzig–Myrden resurrection, it is business as usual. He says "regrettably?"

AY: I applaud everyone's efforts to convince a court that the law is dead.

JCT: Notice he's not one of us though he said the accusation that he will not publicly state that the law is dead is silly.

AY: Hitzig resulted in thousands of charges being tossed between July 31, 2001 – October 7, 2004.

JCT: JCT: Hitzig did it! Har har har har. Go see the Orders that came out of the appeals. I asked for Terry Parker Day even if Young is trying to steal the credit for my move. It would have never happened if I had not appealed. How he can claim he did it when he didn't even appeal is astounding.

Actually, Hitzig resulted in limiting the number of charges being tossed after Oct. 7. Parker and Turmel–Paquette got

the law declared dead on Terry Parker Day, what we asked for and Young did not, and Young's Hitzig–Myrden got the law declared alive again. Imagine. He's the guy responsible for ending the period of legalisation and claims to be responsible for starting it. Turmel wrote the motion that for the law declared dead. Young did not. It's just another weak and easily–rebutted lie from the inept professor. He doesn't even lie well.

AY: I think that is a pretty good subversive result.

JCT: Thank you. 4,000 people off the hook is my best result ever.

AY: The government believes that the Ontario Court of Appeal saved the law as of October 7, 2004

JCT: Only because the law professor told them that the court had brought it back alive. Otherwise, how would parliament know, they're just another bunch of mainly shysters.

AY: and I appreciate the arguments being bandied about concerning the point that a court cannot create a new law.

JCT: He appreciates POLCOA though he announced to Canada that as of 9am, his Hitzig case had ended the period of legalisation. Remember him boasting about it? He appreciates my case at the Supreme the Supreme Court of Canada to overturn his Hitzig–Myrden decision. Who believes him?

AY: It is not that simple in constitutional law. The Windsor J.P. case (also argued with Hitzig in the Court of Appeal) went nowhere, and the Court of Appeal clearly held in that case that Parliament did not have to pass a new law in response to Parker.

JCT: Notice how he skips out the right time–frame again. They did not have to pass a new law while the old law was alive. Knocking "marijuana" off the list would have been fine without changing the legislation to keep it alive.

But once the old law had died on Terry Parker Day, it's a different story. You have to pin the sleazy professor down to the right time frame. I agree that dropping marijuana from the schedule via regulations would have worked fine to save the CDSA but the Court of Appeal did not opine on whether the regulations saved the CDSA, they already decided they had not.

AY: It is all very murky.

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JCT: Maybe to a ill-educated low-tech math drop-out. It's pretty clear to a guy with a Grade 17 in Applied Science.

AY: The bottom line is that we must continue to find novel and clever ways to challenge the CDSA.

JCT: "Continue to find?" He's never found a way yet. I have. How about the clever way that Parker had made it dead before Young brought it back to life. Let's try that again?

AY: I do not think it will now be achieved due to failings in the medical program – these failings will have to be addressed directly (whether in court or through political action).

JCT: He can't think of a way to challenge the CDSA. Fortunately, the low-tech non-inspired professor of trial and error isn't in on any challenge. The high-tech inspired professor of winning mathematics is.

AY: I think it is novel to argue that the Ontario Court of Appeal in Hitzig lacked constitutional authority to resurrect a dead law.

JCT: Har har har har. A law professor doesn't know how Parliament and the courts interact. Har har har har. Don't sent your kids to York University in Toronto with an incompetent like Young around. They might get the slimy prof.

AY: It might work (good chance in the low court, but unlikely as it ascends to the higher, reactionary courts).

JCT: We'll see how my two cases in the highest court fare now that he has none going himself.

AY: So to those who have demanded a response this is the best you will get.

JCT: Har har har har. He dug himself deeper into the hole with a new slew of misinformation, lies, and half-truths.

AY: I can't waste more time justifying the past.

JCT: I can understand that the time spent here was a waste of time trying to justify the past. He ducked why he had to help the Crown set aside Pitt. His excuse that we needed his material after we had won fell flat. He just isn't bright enough to lie his way out of this one.

AY: I fully expected that we would have had the possession offence invalidated due to the failings of the MMAR by the end of 2002.

JCT: Pitt had already done that in April? Why did he help the Crown set Pitt aside? Notice he has never explained what was wrong with Pitt's short notice ex parte Superior Court Order extending Parker protection. Why did Young help the Crown take away Parker's exemption? He never answered other than that we won without the right cards! Har har har har.

AY: This did not happen. We still have the law, a really bad legislative proposal to change the law, and a medical program that does not work.

JCT: If the law is still "absent a constitutionally acceptable medical prohibition," doesn't the dolt appreciate what that means? Doesn't the dolt understand that his own statement confirms that, absent the exemption, the prohibition is invalid. I guess the prof forgot what they said in the first paragraph of his Hitzig–Myrden ruling.

AY: There have been many twists and turns on the road to law reform but I think we have come a long way since cannabis activism came back into vogue in the late 1990's.

JCT: It sure seems a long way when the lawyers never aim at the target. Young's fought to read about pot, fought to get a supply of pot, but never fought to legalize pot.

AY: As for your suggestion that I have abandoned my clients, patients, friends etc. I have no idea what you are talking about and I feel sorry that you harbour so much bitterness about things you actually know very little about.

JCT: Actually, now that what they know about Young has been re–inforced even more, I can understand the bitterness to the man who brought the prohibition back to life. The narcs' greatest hero. Our movement's greatest Judas Goat.

Once again, why did Young urge Chapnik to grant Parker his constitutional exemption after helping the Crown take it away?

Only one reason to set aside Pitt to get the same from Chapnik. To get rid of Pitt's words "until the government has complied with the court's ruling." That's why. He wasn't trying to cost Parker his exemption, he was trying to cost the movement's first declaration of fact that he later got out of Lederman that the government had not complied with the Parker court's ruling.

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Why would Young go after the ruling from Lederman that the government had not complied with Parker that he helped the Crown set aside from Justice Pitt.

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Abolitionist Slave Leader John C. "The Banking Systems Engineer" Turmel for UNILETS interest-free time-based currency in U.N. resolution C6 to Governments in the <http://www.un.org/millennium/declaration.htm>
<http://www.cyberclass.net/turmel> 519-753-0645 USENET: can.politics