

TURMEL: Gravel Krieger Release hearing

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JCT: It had all worked out so seamlessly, something would

have had to screw it up. Get service with 1 minute to spare on Monday, the presumptuous minimum notice application gets fast-tracked, presumptuous because lawyers probably need to wait weeks while I jump the queue screaming "jail on a dead law is abuse with priority." Who's going to argue with that? Still, either they knew I was coming or just know better than to cause hassle when I never do. So it all worked so smoothly, it felt like a dream.

The dream started to come apart early. I get a call from Dominic to say that they've played Gilles Mailloux's story on him all morning on CHOT-TVA with expanded coverage showing the size of the bust (4000 plants, second largest bust around, enterprising gardener. I just lucked into one of the biggest farm raids in a long time!

With all that wonderful press lead-in, one glitch was that he wasn't on the computer to be driven to court! Aw darn. This has happened before. To me personally the time I was in the Don Jail.

I'd given myself up the night before my appeal to spend the night in custody, a rule, and because the Crown only served me their documents right in the jail on the night before (!), they made the guards let me keep the stack of books. Being different upset some guards and it lasted to the next morning. Surely, I didn't have to arrange my own Order of transport to the court! But I wasn't on the computer either. List in those days (1981). I told the guards there was a big mistake but they weren't worried. Then suddenly, around 10:30 when the Ontario Court of Appeal realized I wasn't there, I'm suddenly hot-footed out to a private car for transport to the court. I thought it served them right not to have looked into it.

I just visualized the Crown mentioning whatever hadn't been done and the judge authorizing that the prisoner be rushed before him. I was actually looking forward to the song and dance explaining why the self-represented appellant wasn't there and I wasn't particularly worried that the jail or the Crown could be screwing up. I'd even called Mr. Godri the previous day to remind him that he'd better check or have his excuses ready for what might be a big show. So I called and left a message at 7:30 saying Gravel wasn't on the bus and could he do something about it?

I got there around 9am and could hear three clerks outside the still-locked courtroom discussing the special hearing for the "bail appeal" at 9:45am. Then a few jailers came along and there were calls made. Then, one guard on the phone announced that there would be a delay in #1 court. I figured they were racing to get the kid to court. Still, the court is unlocked and everyone is ready to go.

I saw Regis Bouchard of the Le Droit checking the courtroom and made sure to give him the accused gardener's documentation and stressed Appendixes 2,5,10 (2: Krieger Costigan decision for Alberta Court of Appeal panel, 5: Frankel avowal of guilt, 10: Krieger McLachlin decision for Supreme Court of Canada panel).

Then a CBC-TV French cameraman and reporter arrived and I had time to explain the documentation to Judith Godbout-St-Cyr. I love pointing out the Oct 7 2003 date of my Doherty Order on my request to declare the law dead in 2001 on Terry Parker Day and then pointing to the Globe & Mail story of how they're dropping 4000 charges between 2001 and Oct 7, same date as my Order. Then ask "if they had to drop the pending charges, shouldn't they have fixed all the convictions while the law was dead?" They have to nod. "That's the Parker scandal, people whose records since Parker Day were not erased. 100,000.

Then I differentiated the Frankel scandal of busting 100,000 Canadians knowing the law wasn't valid. Knowing he'd been told the law wasn't valid. I think everyone has a civil suit against David Frankel, doesn't Dominic who sat in jail 6 months while Frankel knew the law was invalid?

She mentioned she had spoken to lawyer Jacques Belley, a long-standing criminal lawyer I've known for 25 years since we played cards together and told him he had been fired. Great! I'd been trying to contact him to explain his defence counseling wasn't being fired, it was being laid-off until the offence is over and maybe there's a need for defence. So she went up and told him he'd been fired and he had to

inform her that he still retained carriage of the case before the court.

Oops. When I'd spoken to Dominic earlier, I'd told him he had to lay off his lawyer to make this work. Instead, he gave Jacques the copies of the motions he'd just signed, minus the Appendixes so Belley may not believe what he's reading without seeing the Orders. Jacques did tell Dominic that he wasn't going to argue anything he hadn't written himself. Bet he hasn't heard about my 4000 drug wins yet. Anyway, I still hadn't spoken with Jacques and now the reporter had just antagonized him.

Anyway, she took off to see what the other reporters were doing on it and I had time to explain how it all fit to her cameraman and why nobody found out. A media lie. That too is pretty stunning.

One last question on the media misrepresentation of the Krieger strike down for everyone as just another personal win for a sick guy. Just another needy marijuana story. More of the same. How did the TV-news report on the story? Did they mention S.7 being struck down? Did the Calgary TV-news also represent it as a personal rather than national loss for the Crown? Or not show and just read the newspaper versions? How about radio? Someday, someone in some lawsuit will dig these up and we'll find out whether it was an even greater cover-up than just 2 reporters.

At 9:30, they announcement that the "matrimonial cases" would be heard first. The guard told me the other case would probably happen around 10am.

Finally, around 9:45 Judith returned and said that the Crown Desrosiers had the case put off until next week Feb 3. I asked if the judge signed off on it and she presumed he had. At least you can get a tape in Quebec to check what happened.

I went up to the 3rd level where all the press hang out and Mr. Desrosiers was pointed out to me. I went over, introduced myself, and asked what had happened. He was pleasant and explained that if carriage of the case is held by a defence attorney, he has to fill out the application for the prisoner to be brought to court, not the Crown. I didn't even say "but he's representing himself" because, obviously, the computer shows he isn't if he has a lawyer. So no request for the prisoner to be present was made by either side. Pity Jacques didn't warn me.

Sad but as long as he has a lawyer on his dossier, there was nothing I could do to get him there for his special date. By next week, he'll lay off his lawyer for the first offensive part of the game and call him back for defence in the bottom of the inning.

So I went to the Registry to check how it works for prisoners without lawyers and lo and behold, there's Jacques Belley. He was teed off because the CBOFT-TV reporter had told him I'd said he'd been fired. Belley said I was dreaming to get him out on recog. I told him clearly that he was being laid off to be called back to do his expertise on defence after the kid had spent a couple of years doing my expertise on offence. I love that line too.

I then pointed out I wasn't mad at him for not knowing about Krieger since it had been hidden. But I would be mad at him for not wanting to know about Krieger.

I showed him the Appendixes 2,5,10, Alberta strikes down S.7, Crown Frankel admits it, Supreme Court backs it. He said "You're telling me that S.7 of the drug laws is gone?" I said "yes." He said "So home come it's still in the Criminal Code?"

They tricked him and the bench and he should be mad about it. That's what the scandal was about. I could have answered that Justice Doherty must have gone to a different law school because lawyers like Jacques expect the Code to be precise and Doherty said they didn't have to do a reprint, the judges would remember which laws in the book were no longer valid and which still were. Of course, the judge said that in the unheralded but now oft-used Turmel Aitken loss that established that they don't have to reprint new legislation when laws are stricken down, judges and lawyers can remember.

I told him he had the right to be pissed off at the Crown and at the media for having been tricked. Even I was tricked for more than year so how can I be mad? So if I didn't notice it too, how much blame can I hold to the lawyers who expect the law in the book to be up to date and precise.

Anyway, I told him it wasn't too late for him to take over the challenge and save me the trip back to Ottawa next week. I'd much prefer having a senior attorney who admits he and the bench were taken in by the scam to the kid who has to convince the bench and the bar blew it all alone.

So there's no story other than the story has been put off till next week but can't be ducked.

And it's Superior Court so the Elliot Lake decision isn't binding if it loses, especially when the only way to escape the Krieger logic is by claiming "my bosses made me do it." The "I'm bound by Hitzig to abuse the process of the court in Ontario." So if it wins, her decision will help the kid and if it loses, it won't hurt him in another province in a higher court.

So kits got passed out to Le Droit, French CBC-TV, and a lawyer who should know me better than to think I'm flaky. I still haven't given up the chance he can be convinced that the law died despite his not having read about it in the papers.

Imagine my having trouble with the lawyers who expect the law to be precisely printed when it's not being precisely printed is what my beef is all about. Again, that's David Frankel's doing again.

I was a little upset that the Elliot Lake decision would not be looming while the kid's case was hurt. Having it put off to past Tuesday will hurt. He could have gotten out only on the basis that maybe Serre might quash the charges. But now there's also Judge Rogers in Sturgeon Falls who has also reserved on the case.

No matter how depressing the thought of not having our Krieger challenge heard, I couldn't help but be amused at the thought of them wondering if I'd jerked them around into wasting time on purpose. Turmel calls a wedding and the groom doesn't show. Har har har har. And it's not cold feet because the chaperon is the bride's father!

So it was adjourned off to Feb 3 when he has a normal court appearance slated next Thursday when his motion will be heard.

So how did Le Droit report on the First Krieger challenge in Quebec. More of the same!!!

Le Droit
Vendredi le 28 janvier 2005
Regis Bouchard

Gravel invoque les arguments de Turmel mais ne se presente pas en cour
Gravel invokes Turmel's arguments but doesn't show for court

Meme derriere les barreaux Raymond Turmel continue a rallier des gens a sa cause dont d'autres detenus qui epousent sa theorie a l'effet qu'une section de la loi sur les

stupefiants etait inconstitutionnelle.

Even behind bars, Raymond Turmel continues to rally people to his cause including other inmates who espouse his theory that a section of the drug laws is unconstitutional.

JCT: Of course, we all know this is wrong. Krieger proved it was unconstitutional to get it killed. We're just here for the funeral.

Le dernier en lisse est Dominic Gravel, 30, de Gatineau, a qui la cour a refuse, en aout dernier, une remise en liberte a la suite de son arrestation le 29 juillet, une semaine apres la decouverte de 5,000 plants de cannabis dans la region d'Otter Lake.

The last to file line is Dominic Gravel, 30, of Gatineau, for whom the court refused bail last August after his arrest on July 29, one week after 5000 cannabis plants were discovered in the Otter Lake region.

Conseille par les freres Raymond et John Turmel, il a depose, en cour Superieur, une demande de revision de cautionnement qu'il aurait aime pouvoir presenter hier, mais helas, c'est sans compter sur les procedures normales qui doivent etre suivies, que le requerant soit ou non represente par un avocat.

Counselled by the brothers Raymond and John Turmel, he filed in Superior Court a motion to vary his bail conditions which he would have liked to present yesterday but, alas, it was without following the normal procedures which must be followed whether the applicant be represented by a lawyer or not.

JCT: Actually, the clerk told me that when the applicant is an inmate who is not represented by a lawyer, then it is the Crown's responsibility to file the 1-page form requesting his attendance in court. So if he's not represented, it's not the same procedure as when he has a lawyer, which screwed up Dominic's appearance last Thursday.

Gravel n'etait pas present hier, ayant omis de prendre les mesures necessaires afin d'assurer son transport de la prison au palais de justice de Gatineau.

Gravel wasn't there yesterday, having failed to take the necessary measures to ensure his transport from the prison to the courthouse.

John Turmel qui a travaille avec son frere Raymond dans le dossier de Dominic Gravel, croyait que c'etait la responsabilite de la couronne de voir au transport d'un detenu, ce qui n'etait de toute evidence pas le cas, puisque

Gravel est le requirant et, a ce titre, il lui appartenait a lui ou ses collaborateurs de demander son transport.

John Turme who worked with his brother Raymond in Dominic Gravel's file, believed that it was the responsibility of the Crown to see to the transport of an inmate, which by the evidence wasn't the case, since Gravel is the applicant and, as such, it's up to him or his supporters to request his transport.

JCT: Not when there's a lawyer on the file. I can't do it. Maybe he could.

Selon nos informations, le dossier signe par Gravel est essentiellement le fruit du travail de Raymond Turmel qui a fait son entree le 18 janvier dernier au centre de detention de Gatineau apres que la cour d'appel du Quebec eut rejete son appel du verdict de culpabilite et de la sentence de 20 mois que lui a impose le judge Jean Pierre Plouffe. Notamment pour une accusation pour la possession de marijuana dans le but d'en faire le traffic.

According to our information, the dossier signed by Gravel is essentially the fruit of the work of Raymond Turmel who entered the Gatineau Detention Centre last January 18 after the Quebec Court of Appeal rejected his appeal of the guilty verdict and 20 month sentence imposed by Judge Jean Pierre Plouffe. Notably on a charge of possession of marijuana for the purpose of trafficking.

JCT: And of course, Gravel's Krieger non-constitutional "unknown to law" challenge has nothing at all to do with the Ray Turmel "constitutional" challenge. Ray Turmel was charged before Parker and was convicted before Krieger. Gravel's new Krieger challenge can't be the same old thing as the Turmel challenge which happened before Krieger was handed down. In all the years Regis has been reporting on my cases, this is his first real screw-up. And I even gave him the motion with appendixes, all of which happened after Ray was convicted.

Turmel alleguait alors l'inconstitutionalite de la loi, mais aussi le fait qu'il cultivait ses 613 plants de mari afin de repondre a la demande de malades, dont son epouse, pour qui la consommation de mari avait une valeur therapeutique.

Turmel was alleging the unconstitutionality of the law, but also that he was cultivating his 613 marijuana plants in order to respond to the need of the sick, including his wife, for whom consumption of marijuana had therapeutic value.

JCT: And Dominic is not alleging the law is constitutionally bad, he's alleging it's simply dead.

C'est essentiellement les memes arguments et la meme jurisprudence qui ont servis lors d'autres croisades menes par les freres Turmel, qu'avance Gravel dans sa requete.

Gravel is essentially advancing the same arguments and the same jurisprudence which have served in other crusades waged by the Turmel brothers.

JCT: And of course, that's completely false because Krieger hadn't even been handed down when Turmel was convicted. If he can repeat his error, I can repeat the correction.

On y denonce l'attitude de la couronne qui, selon le requerant, continue a ignorer ces decisions des tribunaux superieurs quant a l'inconstitutionalite de la loi.

They're denouncing the attitude of the Crown who, according to the applicant, continues to ignore these decisions of the superior tribunals as to the unconstitutionality of the law.

Le prochain rendezvous en cour Superieure est prevu le 3 fevrier.

The next Superior Court rendezvous takes place February 3.

These errors of fact had to be corrected so I wrote a letter to the Editor of Le Droit.

Lettre au redacteur
Le Droit,
Email:

Article du 28 janvier 2005 dans Le Droit: Gravel invoque les arguments de Turmel mais ne se presente pas en cour. Regis Bouchard nous dit:

"C'est essentiellement les memes arguments et la meme jurisprudence qui ont servis lors d'autres croisades menes par les freres Turmel, qu'avance Gravel dans sa requete. Turmel alleguait alors l'inconstitutionalite de la loi."

La decision sur laquelle toutes les recentes requetes en Ontario, Colombie Britannique, et maintenant Gatineau, sont basees sur la decision Krieger qui n'etait pas connue lorsque Raymond Turmel fut trouve coupable. L'argument n'est pas que la loi est constitutionnellement mauvaise, Krieger l'a deja prouve, mais que la loi est maintenant morte.

Donc, ce ne sont pas essentiellement les memes arguments et la meme jurisprudence que Raymond Turmel mais une nouvelle

attaque de John Turmel.

In the Le Droit article dated Jan 28 2005: Gravel invokes Turmel's arguments but doesn't show up in court, Regis Bouchard tells us:

Gravel is advancing essentially the same arguments and the same jurisprudence which have served in other crusades waged by the Turmel brothers."

The decision upon which all the recent motions in Ontario, B.C., and now Gatineau, are based is Krieger which was not even known when Raymond Turmel was convicted. The argument isn't that the law is constitutionally bad, Krieger already proved that, it's that the law is now repealed.

So, Gravel is not essentially advancing the same arguments and the same jurisprudence as Raymond Turmel but a new assault by John Turmel.

Hope they print the correction.

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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