

COURT OF APPEAL FOR BRITISH COLUMBIA

Citation: *Gonzalez v. British Columbia (Attorney General)*,
2023 BCCA 155

Date: 20230414
Docket: CA48756

Between:

Roberto Orellana Gonzalez

Appellant
(Plaintiff)

And

**His Majesty the King in Right of the Province of British Columbia
as represented by the Attorney General of British Columbia**

Respondent
(Defendant)

Before: The Honourable Chief Justice Bauman
The Honourable Mr. Justice Fitch
The Honourable Justice Griffin

On appeal from: An order of the Supreme Court of British Columbia,
dated November 23, 2022 (*Gonzalez v. British Columbia (Attorney General)*),
Vancouver Docket S228954).

- and -

On an application to vary: An Order of the Court of Appeal for British Columbia,
dated January 25, 2023 (*Gonzalez v. British Columbia (Attorney General)*),
Vancouver Docket CA48756).

The Appellant, on his own behalf:

R. Gonzalez

Counsel for the Respondent:

K. Fast

Written Submissions Received:

February 13, 2023

Place and Date of Judgment:

Vancouver, British Columbia
April 14, 2023

Written Reasons of the Court

Summary:

The application for review is dismissed.

Reasons for Judgment of the Court:

[1] Mr. Gonzalez brings this application to vary the decision of Justice Fenlon in chambers denying him leave to appeal the decision of Justice Stephens in the Supreme Court in turn denying him leave to commence an action in the British Columbia Supreme Court against the government of British Columbia.

[2] Mr. Gonzalez has been declared a vexatious litigant in this Court.

[3] Justice Fenlon's reasons fully set out the background in this matter: Vancouver Registry CA48756, 25 January 2023.

[4] The Court advised the parties by memorandum that this application would be disposed of on the basis of Mr. Gonzalez's written materials filed to date without a hearing pursuant to s. 26 of the *Court of Appeal Act*, S.B.C. 2021, c. 6.

[5] There is no error, reviewable or otherwise, in Justice Fenlon's order in this matter.

[6] The application for review is dismissed. Mr. Gonzalez's signature on our order is dispensed with. We ask the registrar to draft that order.

[7] Given the obvious lack of merit in this application, Mr. Gonzalez should carefully consider the appropriateness of pursuing the issues raised by him in this and sundry other proceedings. Further meritless applications by him will prompt the

Court to consider on its own motion any necessary amendments to the existing vexatious litigant order.

“The Honourable Chief Justice Bauman”

“The Honourable Mr. Justice Fitch”

“The Honourable Justice Griffin”