

File No.  
VANCOUVER REGISTRY

# FEDERAL COURT

BETWEEN:

PATRICK DANIEL FISCHER

APPLICANT

AND:

ATTORNEY GENERAL of CANADA

RESPONDENT

## NOTICE OF APPLICATION

Applicant on his own behalf

Patrick Fischer  
c/o Kent Institution  
Box 2000  
Agassiz British Columbia  
V0M 1A0

Respondent

Attorney General of Canada  
East Memorial Building  
284 Wellington Street  
Ottawa Ontario  
K1A 0H8

**IN THE MATTER OF** Section 18.1 of the Federal Courts Act

TO THE RESPONDENT:

A PROCEEDING HAS BEEN COMMENCED by the Applicant. The relief claimed by the Applicant appears on the following page.

THIS APPLICATION will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court orders otherwise, the place of hearing will be as requested by the Applicant. The Applicant requests that this Application be heard at Vancouver British Columbia.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the Application or to be served with any documents in the Application, you or a solicitor acting for you must prepare a notice of appearance in Form 305 prescribed by the Federal Courts Rules, and serve it on the Applicant's solicitor, or where the Applicant is self-represented, on the Applicant, WITHIN 10 DAYS after being served with this Notice of Application.

Copies of the Federal Courts Rules, information concerning the local offices of the Court and other necessary information may be obtained on request to the administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

**IF YOU FAIL TO OPPOSE THIS APPLICATION, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.**

\_\_\_\_\_  
(date)

Issued by: \_\_\_\_\_  
(Registry Officer)

Address of local office: \_\_\_\_\_

TO: ATTORNEY GENERAL of CANADA  
East Memorial Building  
284 Wellington Street  
Ottawa Ontario  
K1A 0H8

# **APPLICATION**

**This is an application for judicial review in respect of:**

The Correctional Service Canada, Offender Redress Division, Final Grievance # V80R00045491, a decision to refuse to allow the Applicant possession of lawfully owned property.

**The Decision was communicated to the Applicant on:**

August 03, 2023

**The Applicant makes application for:**

1. An order for the Respondent to turn over the disputed property to the Applicant for cell possession.
2. That the Respondent pay costs to the Applicant in the amount of five hundred dollars (\$500.00).

**The Grounds for the Application are:**

1. The decision of the Respondent is unreasonable and in contravention of the facts and circumstances of the issue.
2. The response is arbitrary as in the same response another property item was ordered returned under identical circumstances as the issue currently in dispute.
3. The Respondents decision contravenes Section 18.1(3)(b) and Section 18.1(4)(d) of the *Federal Courts Act*, Section 4(c) of the *Corrections and Conditional Release Act*, Section 4(f) of the *Corrections and Conditional Release Act*, and Section 97(3)(a) of the *Corrections and Conditional Release Regulations*.

**This Application will be supported by the following material:**

1. Certified Tribunal Record of Grievance # V80R00045491.
2. Affidavit of Patrick Fischer.
3. The Applicant's written representations.

**The Applicant requests** that Correctional Service Canada send a certified copy of the following material that is not in the possession of the Applicant but is in the possession of the Correctional Service Canada to the Applicant and to the registry:

1. Certified Tribunal Record of Grievance # V80R00045491.

Dated at Agassiz, this 16<sup>th</sup> day of August, 2023



Patrick Fischer

The Applicant's name and address is:

Patrick Fischer  
c/o Kent Institution  
Box 2000  
Agassiz British Columbia  
V0M 1A0