

Court of Appeal File No. CA47399
Supreme Court File No. 31563
Police File #2020-128565
DOB: November 16, 1973

CLIENT COPY



COURT OF APPEAL

FORM 32

CONDITIONS OF RELEASE ORDER

CANADA: PROVINCE OF BRITISH COLUMBIA

Be it remembered that on this day the persons named in the following schedule personally came before me and severally acknowledged themselves to owe to Her Majesty the Queen the several amounts set opposite their respective names, namely,

<u>Name</u>	<u>Address</u>	<u>Amount</u>
_____ CD	_____	Promise to pay \$1,000.00 Without sureties

to be made and levied of their several goods and chattels, lands and tenements, respectively, to the use of Her Majesty the Queen, if the said ~~_____~~ falls in any of the conditions hereunder written.

Taken and acknowledged before me on the 30th day of April, 2021, at Vancouver, British Columbia.

 (Signature of appellant) April 30, 2021 Date (A Justice of the Peace in and for the Province of British Columbia)

Whereas the said ~~_____~~ herein after called the Appellant, is an appellant against his conviction (or against sentence) in respect of the following charge:

Count 1: Contempt of Court

Now, therefore, the conditions of this release order are that the appellant attends as required by the Court in order to be dealt with according to law;

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And further, the Appellant shall comply with the following conditions:

- (a) The APPELLANT shall keep the peace and be of good behaviour.
- (b) The APPELLANT shall reside at [REDACTED] British Columbia and not change his residence without the prior permission of a justice of this Court.
- (c) The APPELLANT shall maintain employment with Canada Post, and if the APPELLANT changes his employment, notify the court immediately.
- (d) The APPELLANT shall remain within the province of British Columbia unless the APPELLANT obtains the prior permission of a justice of this Court.
- (e) The APPELLANT shall within two business days of the APPELLANT's release from custody, attend at the Royal Canadian Mounted Police Detachment, 15299 Pacific Ave, White Rock, BC and surrender all his travel documents, including any passport(s), Nexus card(s), or travel visas, to a peace officer, and must not obtain or possess any travel document thereafter.
- (f) The APPELLANT shall diligently pursue his appeal.
- (g) The APPELLANT shall abide by the Orders with respect to publication that have been made in civil proceedings in the Supreme Court of British Columbia in action number E190334.
- (h) The APPELLANT shall not, directly or indirectly through a third party, publish, broadcast, or transmit any information that could disclose the identity of A.B., his father, or his mother. For greater clarity, broadcast or transmission includes re-broadcast, re-transmission, or republishing on any paper, digital, electronic, or other means of publication. For further clarity, broadcast includes the second definition in the Oxford Concise Dictionary: "make known to many people";
- (i) The APPELLANT shall not, directly or indirectly through a third party, publish, broadcast or transmit information or provide documentation relating to AB's gender identity, physical and mental health, medical status or treatments, other than with: (1) counsel retained on this appeal; (2) retained legal counsel for AB or EF; (3) medical professionals engaged in AB's care or CD's care; (4) any other person authorized by AB's written consent; or (5) any other person authorized by court order.
- (j) The APPELLANT shall not, directly or indirectly through a third party, publish broadcast or transmit any information or provide documentation information that could identify the parties referred to in this proceedings as A.B., C.D., E.F., G.H., I.J., K.L., M.N., O.P., Q.R., S.T. U.V., and W.X., including by repeating or otherwise making such information known in any forum, including in writing, orally, by any electronic medium, by telephone, or in person, in relation to these proceedings.

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- (k) The APPELLANT shall not post online, on Facebook, GoGetFunding, or any other online forum, in a manner that may identify him as the father in A.B. and C.D.(the civil proceedings) or related legal proceedings including this appeal.
- (l) The APPELLANT shall surrender to the Sheriff's office at the Law Courts at 800 Smithe Street, Vancouver B.C. by 9:00 am on Monday November 1, 2021 or on the date set for the hearing of his conviction appeal, whatever date first occurs.

NOTE

Section 783 and subsections 784 (1) to (3) of the *Criminal Code of Canada* state as follows:

"783. Where a person is bound by an order to appear before a court, justice or provincial court judge for any purpose and the session or sittings of that court or the proceedings are adjourned or an order is made changing the place of trial, that person and her sureties continue to be bound by the release order in like manner as if it has been entered into with relation to the resumed proceedings or the trial at the time and place at which the proceedings are ordered to be resumed or the trial is ordered to be held.

784. (1) Where an accused is bound by an order to appear for trial, her arraignment or conviction does not discharge the release order, but it continues to bind her and her sureties, if any, for her appearance until she is discharged or sentenced, as the case may be.

(2) Notwithstanding subsection (1), the Court, justice, or provincial court judge may commit an accused to prison or may require her to furnish new or additional sureties for her appearance until she is discharged or sentenced, as the case may be.

(3) The Sureties of an accused who is bound by an order to appear for trial are discharged if she is committed to prison pursuant to subsection (2)."

7. Whereas a warrant was issued under section 462.32 or a restraint order was made under 462.33 (3) of the *Criminal Code* in relation to any property (set out legal description) _____;

Now, therefore, the condition of this release order is that _____ shall not do or cause anything to be done that would result, directly or indirectly, in the disappearance, dissipation or reduction in value of the property or otherwise affect the property so that all or a part thereof could not be subject to an order of forfeiture under section 462.37 or 462.38 of the *Criminal Code* or any other provision of the *Criminal Code* or any other Act of Parliament [462.34].

FORM 33
(Section 770)

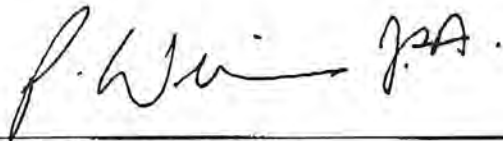
Certificate of default to be endorsed on release order

I hereby certify that _____ has not appeared as required by this release order and that by reason thereof the ends of justice have been (defeated or delayed, as the case may be).

The reason for the default is _____

The names and address of the principal and sureties are as follows: _____

Dated this 30 day of April, A.D. 2021, at Vancouver, British Columbia.



Judge, Justice, or a Judge of the
Provincial Court of British Columbia

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