



Court of Appeal
for BC

Notice of Appeal or Application for Leave to Appeal

VANCOUVER

(Where appellant not represented by a solicitor)

CA 46979

AUG 24 2020

COURT OF APPEAL
REGISTRY

Lower Court Registry Number 244068-6-B

Lower Court Registry Location Vancouver

To the Registrar:

Name of appellant: Patrick Hansey Fox

Place of trial: Vancouver

Name of court: Provincial Court

Name of judge: N. Phillips

Was this a jury trial? No

Offence(s) of which convicted: Breach of probation
(CCC s. 733.1)

Plea at trial: Not guilty

Sentence imposed: Six months jail and six months
probation.

Date of conviction: 2020-08-19

Date of imposition of sentence: 2020-08-19

Name and address of place at which appellant is in custody: _____

Or if not in custody, appellant's address: (~~555~~) 555 Homer St,

Vancouver, BC, V6B 1K8

(Salvation Army Belkin House)

If in custody, address other than institution: _____

I, the above named appellant, hereby give you notice that I desire to appeal to the Court of Appeal against my conviction and sentence on the grounds set out on this notice.

I desire to present my case and argument whether it be for leave to appeal or by way of appeal where leave is not necessary,

~~(a) in writing~~

(b) in person

If a new trial is ordered and you have a right to trial by jury, do you wish trial by jury?

Dated this 24 day of August, 20 20.
[1st, etc.] [month] [year]

[Signed]



Appellant

Notes

- (a) If your appeal against conviction involves a question of law alone, you have a right of appeal.
(b) If your appeal against conviction is upon any other ground than a question of law, then you have no right of appeal unless leave to appeal is first granted. Your Notice of Appeal includes an application for leave to appeal where leave is necessary.
(c) You have no right to appeal against sentence unless leave to appeal is first granted by the Court of Appeal or a justice. Your Notice of Appeal includes an application for leave to appeal.
- Further take notice that if you appeal from sentence the Court of Appeal may increase your sentence.
- (a) If your appeal is against conviction or sentence alone, or against both conviction and sentence, this notice must be filed within 30 days of the date of imposition of the sentence.
(b) If this notice is filed beyond this time, then you must apply for an extension of time by completing Form 7 [Notice of Application for Extension of Time to Appeal].

Grounds of Appeal

These must be filled in before notice is sent to the Registrar. The appellant must here set out the grounds or reasons he or she alleges why his or her conviction should be quashed or his or her sentence reduced. If one of the grounds set out is "misdirection" by the judge, particulars of the alleged misdirection must be set out in this notice.

[Use additional separate sheet if necessary]

I believe the conviction is not supported by
the evidence.

The probation condition I was accused of,
and convicted of violating prohibited me from

engaging in specific conduct (namely, publishing, disseminating, or making available information about a specific party). While I admit I did engage in that specific conduct, I did so BEFORE the probation order took effect on 2018-12-30. The Crown's only witness clearly and unambiguously testified that she had absolutely no idea whether the information was published before the probation order took effect (on 2018-12-30) or after. The Crown also clearly admitted she had no knowledge or evidence of whether I published the material before or during the period of probation.

The condition I was accused of, and convicted of violating DID NOT state I was required to remove any previously published information or material from public accessibility.

Regardless of the foregoing facts and lack of evidence, the court found me guilty of violating the probation condition.

Such further grounds as I may advise and the Honorable Court may permit.