



January 11, 2023

## **PARTICULARS IN THE MATTER OF**

**REGINA v. FOX, Patrick  
COURT FILE NO. 244069**

**APPEARANCE/TRIAL DATE: December 22, 2022**

**TO: THE ACCUSED PERSON AND THEIR LEGAL COUNSEL**

**As of January 12, 2023 via courier to accused at North Fraser Pre-trial – vd**

- ✓ Copy of all disclosure for 244069-7B:
  - Materials previously disclosed October 15, 2020:
    - Information #244069-7B (1 pg);
    - Criminal Record (2 pgs);
    - Conviction List (2 pgs);
    - Booking Report (1 pg);
    - Probation Order dated June 12, 2020 (1 pg);
    - Probation Order dated August 19, 2020 (2 pgs);
    - McNeil Report (1 pg);
    - Narrative (3 pgs);
    - HOLLAND, Robert VA2341 – RCC Statement (2 pgs);
    - ROBERTS, Nicole VA2685 – RCC Statement (2 pgs).
  - Materials previously disclosed November 23, 2020:
    - RTCC V1 (107 pgs);
    - Multimedia:
      - Arrest of Accused;
      - Interview with Accused.
- ✓ MEIKLEJOHN, Catherine – Timeline (2 pgs);
- ✓ U.S. Department of Homeland Security – Records of Deportable/Inadmissible Alien (3 pgs);
- ✓ Screen Captures from Blog (55 pgs);
- ✓ Admissions of Fact (1 pg)

**As of December 28, 2022 via courier to accused at North Fraser Pre-trial – vd**

- ✓ Form 5.2 – Report to a Justice, dated May 16, 2022 (2 pgs);

- ✓ Information to Obtain, dated July 15, 2022 (17 pgs);
- ✓ Warrant to Search, dated July 15, 2022 (3 pgs);
- ✓ Form 5.2 – Report to a Justice, dated November 1, 2022 (2 pgs);
- ✓ Emails with Hunch.ly (4 pgs);
- ✓ Ministry of Public Safety and Solicitor General - Client Logs for April 19, 2022 to December 16, 2022 (4 pgs);
- ✓ McELROY, Amber VA2343 – Police Statement-14 (1 pg);
- ✓ McELROY, Amber VA2343 – Emails regarding Proxy Logs (2 pgs);
- ✓ Proxy Logs (5 pgs);
- ✓ Copy of support Page from "http://support.hunch.ly/".

**As of December 15, 2022 via courier to accused at North Fraser Pre-trial – vd**

- ✓ Ministry of Public Safety and Solicitor General - Client Log (1 pg);
- ✓ File Number #244069-9B:
  - Warrant for Arrest (2 pgs);
- ✓ File Number #244069-10-BC:
  - McELROY, Amber VA2343 – Police Statement-5 (1 pg);
  - McELROY, Amber VA2343 – Police Statement-7 (1 pg);
  - McELROY, Amber VA2343 – Police Statement-8 (1 pg);
  - McELROY, Amber VA2343 – Police Statement-9 (1 pg);
  - McELROY, Amber VA2343 – Police Statement-10 (1 pg);
  - McELROY, Amber VA2343 – Police Statement-11 (3 pgs);
  - McELROY, Amber VA2343 – Police Statement-12 (1 pg);
  - McELROY, Amber VA2343 – Police Statement-13 (1 pg);
  - MEIKLEJOHN, Catherine CA9189 – Police Statement-6 (1 pg).

**As of October 31, 2022 via courier to accused at North Frase Pre trial – vd**

- ✓ File Number #244069-9B:
  - Information #244069-9B (1 pg);
  - Conviction List (2 pgs);
  - Narrative (2 pgs);
  - Probation Order 244069-8B (2 pgs);
  - Appointment Slip (1 pg);
  - Client Log (1 pg);
  - Google Search of website (1 pg).
- ✓ File Number #244069-10-BC:
  - McELROY, Amber VA2343 – Police Statement-4 (2 pgs);
  - McELROY, Amber VA2343 – Miscellaneous Notes-3 (1 pg);
  - FOX, Patrick – Transcript of Arrest (5 pgs);
  - FOX, Patrick – Transcript of Transport (6 pgs);
  - FOX, Patrick – Transcript of Interview (49 pgs);
  - FOX, Patrick – Transcript of Transport to Jail (4 pgs);

- Screenshot of Webpage (1 pg).

**Initial Disclosure July 7, 2022 to accused at North Fraser Pre-Trial- ns**

- ✓ Information #244069-10BC (2 pgs);
- ✓ Criminal Record (2 pgs);
- ✓ Conviction List (2 pgs);
- ✓ Arrest and Booking Report (1 pg);
- ✓ McNeil Form (1 pg);
- ✓ Narrative (8 pgs);
- ✓ CAPUANO, Desiree-RCC Statement (1 pg);
- ✓ McELROY, Amber VA2343-RCC Statement (5 pgs);
- ✓ MEIKLEJOHN, Catherine VA9189-RCC Statement (2 pgs);
- ✓ KIM, Jim VA3284-Police Notes (3 pgs);
- ✓ Interview Log Notes (1 pg);
- ✓ Report-Form 5.2 (2 pgs);
- ✓ Probation Order (3 pgs);
- ✓ Arrest Script (7 pgs);
- ✓ Interview Script (4 pgs);
- ✓ Screen captures May 3, 2022 of desicapuano.com (16 pgs);
- ✓ Screen Captures May 3, 2022 of desicapuano.com (42 pgs);
- ✓ LAYTON, David-Email dated May 15, 2022 (4 pgs);
- ✓ Multimedia:
  - AUDIO RECORDING OF INTERVIEW;
  - AUDIO RECORDING OF ARREST;
  - AUDIO/VIDEO FOX INTERVIEW;
  - AUDIO RECORDING OF TIME PRIOR TO INTERVIEW.

Please find attached a copy of the Crown's particulars in relation to the charges.

**TO THE ACCUSED**

**TAKE NOTICE THAT** this disclosure material is provided to you for the sole purpose of assisting you to make full answer and defence in this prosecution. You must not use the material for any other purpose or for any other case.

1. The material may contain private or confidential information. You must keep it secure and not copy it or provide to any other person, other than your legal counsel, without the prior written permission of Crown Counsel.
2. The conditions set out above also apply to any further or additional disclosure material provided to you in relation to this prosecution.

3. If you are unable or unwilling to comply with these conditions, please immediately return the material to Crown Counsel.
4. If it is your intention to apply to exclude evidence under the section 24(2) of The Canadian Charter of Rights and Freedoms, you must give the Crown timely notice of the evidence you intend to rely on to support your application as well as the specifics of your argument and any remedy you seek.

### **TO THE ACCUSED AND DEFENCE COUNSEL**

***TAKE NOTICE THAT*** the Crown intends to produce the documents and records contained in this disclosure material, and any related testimony, at the trial or preliminary inquiry, pursuant to the *Canada Evidence Act*, *BC Evidence Act*, *Controlled Drugs or Substances Act* or the *Criminal Code*.

### **TO DEFENCE COUNSEL**

***TAKE NOTICE THAT*** this disclosure material is provided to you for the sole purpose of assisting the accused to make full answer and defence in this prosecution and not for any other purpose or any other case and also on the following conditions:

- a) You must keep the material in a secure fashion.
- b) You may permit access to the material or copy it for the use of the accused or persons acting under your supervision (for example, articling students, associate counsel, paralegals) in the preparation and presentation of the defence but only on the condition that they not copy it or provide access to it by anyone else.
- c) You must not copy or provide access to the material to any person or counsel who is not acting under your supervision. Notwithstanding the foregoing, you may copy the material and use it in conducting the defence (for example, in cross-examining a witness, providing material to the court, or providing witnesses with copies of their own statements).
- d) You may permit access to the material or copy it for the use of any expert retained to assist in the preparation and conduct of the defence but only on the condition that they not copy it or provide access to it by anyone else.
- e) You must not permit access to the material by or copy it for any person other than those referred to in conditions 2, 3, and 4, above, without the prior written consent of the Crown or a court order.

- f) If you are unable or unwilling to comply with any of these conditions, please immediately return this disclosure material to Crown Counsel.

VANCOUVER CROWN COUNSEL OFFICE

Enclosures

MEIKLEJOHN timeline for FOX file:

**May 3, 2022** (captured using Hunchly unless otherwise stated)

- At 3:17 pm searched on Google Chrome for desicapuano.com
- At 3:34 pm clicked on the entry for site indices (contains an analysis on the website, including its valuation. According to Site Indices the website receives approximately 943 unique visitors each day and its web server is located in Las Vegas Nevada, with an IP address 23.229227.192)
- At 3:40 pm I entered the website URL desireecapuano.com directly into the search bar and located a placeholder page saying that 'desireecapuano.com expired on 04/12/2022 and is pending renewal or deletion'
- At 3:46 pm I entered URL desicapuano.com directly in the search bar; 'Unauthorized' page captured; a sign in box appeared prompting, a Username and Password to be entered in order to view the site. Hunchly was unable to capture this so snipping tool was used (\*no time stamp)

**May 16, 2022** (captured using Hunchly)

- I was asked (I'm sorry, I can't remember if it was Amber McElroy or Jin Kim who asked) to capture screenshots from [www.desicapuano.com](http://www.desicapuano.com) after it was determined that the website was back up and not password protected. The following 7 posts were captured:
- Posted Mar 29, 2022 at 11:50 am PDT "Probation officer Abeed Bhimji caught lying on the witness stand"
- Posted May 1, 2022 at 10:10 pm PDT "I admitted I've been using our son as a pawn to control Patrick"
- Posted May 2, 2022 at 2:13 pm PDT "BC Government admits this website is not illegal"
- Posted May 6, 2022 at 9:21 am PDT "I committed 81 instances of perjury"
- Posted May 7, 2022 at 7:42 am PDT "VPD and Crown Counsel give Patrick someone elses disclosure material"
- Posted May 8, 2022 at 12:06 pm PDT "I defraud the public and still nothing happens to me"
- Posted May 11, 2022 at 6:38 pm PDT "Judge Kathryn Denhoff and her delusional reasons for judgment"

**October 12, 2022**

- I was asked (by Det/Cst McElroy I believe) to check the website [www.desicapuano.com](http://www.desicapuano.com)
- At 11:19 am I entered the URL into the search bar and located a place holder page by Go Daddy. This was captured with Hunchly but parts of it were cut off so Fireshot screen capture tool was also used to show what the page looks like.

**October 17, 2022**

- I performed the same search for [www.desicapuano.com](http://www.desicapuano.com) and located the same page as above. This was not captured.

**October 19, 2022**

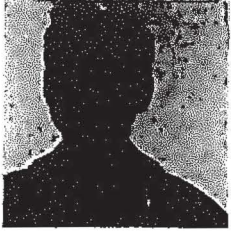
- I performed the same search for [www.desicapuano.com](http://www.desicapuano.com) at 10:10 am and located the same page as above (I did not capture this page as it was a duplicate from the 15<sup>th</sup>). When I clicked on the box that said “get this domain” I was redirected to a page that said “desicapuano.com is taken”. There was an option to pay for a dedicated broker to help acquire the domain name.

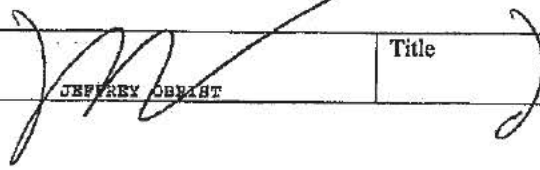
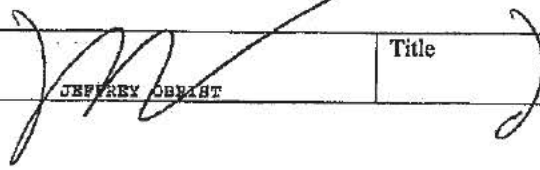
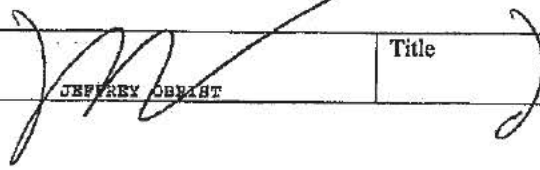
SIGMA Event: [REDACTED]

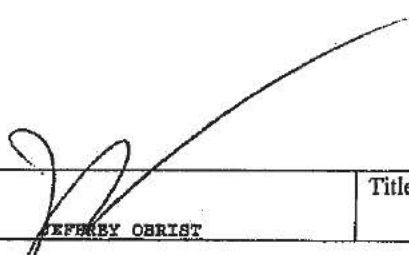
U.S. Department of Homeland Security

Subject ID : [REDACTED]

## Record of Deportable/Inadmissible Alien

|                                                                                                                                                                                                                                                                                                                                                   |                                      |                      |             |                                                                                                                                                                                                               |                      |                    |                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--------------------|--------------------------|
| Family Name (CAPS)<br><b>RIESS, Richard</b>                                                                                                                                                                                                                                                                                                       |                                      | First                | Middle      | Sex<br><b>M</b>                                                                                                                                                                                               | Hair<br><b>BRO</b>   | Eyes<br><b>BRO</b> | Complexion<br><b>FAR</b> |
| Country of Citizenship<br><b>CANADA</b>                                                                                                                                                                                                                                                                                                           | Passport Number and Country of Issue | Case No.<br><b>A</b> | File Number | Height<br><b>65</b>                                                                                                                                                                                           | Weight<br><b>130</b> | Occupation         |                          |
| U.S. Address                                                                                                                                                                                                                                                                                                                                      |                                      |                      |             | Scars and Marks                                                                                                                                                                                               |                      |                    |                          |
| Date, Place, Time, and Manner of Last Entry<br><b>03/16/2019, BLA, 0001</b>                                                                                                                                                                                                                                                                       |                                      |                      |             | Passenger Boarded at                                                                                                                                                                                          |                      |                    |                          |
| Number, Street, City, Province (State) and Country of Permanent Residence                                                                                                                                                                                                                                                                         |                                      |                      |             | F.B.I. Number <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated                          |                      |                    |                          |
| Date of Birth<br><b>11/24/1973</b> Age: <b>45</b>                                                                                                                                                                                                                                                                                                 |                                      |                      |             | Date of Action<br><b>03/15/2019</b>                                                                                                                                                                           |                      |                    |                          |
| City, Province (State) and Country of Birth<br><b>CANADA</b>                                                                                                                                                                                                                                                                                      |                                      |                      |             | Location Code<br><b>SEA/BLA</b>                                                                                                                                                                               |                      |                    |                          |
| NIV Issuing Post and NIV Number<br><b>None</b>                                                                                                                                                                                                                                                                                                    |                                      |                      |             | Social Security Account Name<br><b>None</b>                                                                                                                                                                   |                      |                    |                          |
| Date Visa Issued<br><b>None</b>                                                                                                                                                                                                                                                                                                                   |                                      |                      |             | Social Security Number<br><b>None</b>                                                                                                                                                                         |                      |                    |                          |
| Immigration Record<br><b>POSITIVE - See Narrative</b>                                                                                                                                                                                                                                                                                             |                                      |                      |             | Criminal Record<br><b>See Narrative</b>                                                                                                                                                                       |                      |                    |                          |
| Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)                                                                                                                                                                                                                                                                            |                                      |                      |             | Number and Nationality of Minor Children                                                                                                                                                                      |                      |                    |                          |
| Father's Name, Nationality, and Address, if Known                                                                                                                                                                                                                                                                                                 |                                      |                      |             | Mother's Present and Maiden Names, Nationality, and Address, if Known                                                                                                                                         |                      |                    |                          |
| Monies Due/Property in U.S. Not in Immediate Possession<br><b>None Claimed</b>                                                                                                                                                                                                                                                                    |                                      |                      |             | Fingerprinted? <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                       |                      |                    |                          |
| Name and Address of (Last)(Current) U.S. Employer                                                                                                                                                                                                                                                                                                 |                                      |                      |             | Systems Checks<br><b>See Narrative</b>                                                                                                                                                                        |                      |                    |                          |
| Type of Employment                                                                                                                                                                                                                                                                                                                                |                                      |                      |             | Charge Code Words(s)<br><b>See Narrative</b>                                                                                                                                                                  |                      |                    |                          |
| Salary                                                                                                                                                                                                                                                                                                                                            |                                      |                      |             | Employed from/to                                                                                                                                                                                              |                      |                    |                          |
| Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.)<br><b>FINB: 1065182293</b> |                                      |                      |             |                                                                                                                                                                                                               |                      |                    |                          |
| Left Index fingerprint                                                                                                                                                                                                                                                                                                                            |                                      |                      |             | Right Index fingerprint                                                                                                                                                                                       |                      |                    |                          |
|                                                                                                                                                                                                                                                                |                                      |                      |             |                                                                                                                            |                      |                    |                          |
|                                                                                                                                                                                                                                                                                                                                                   |                                      |                      |             |                                                                                                                          |                      |                    |                          |
| <b>RECORDS CHECKED</b><br><br><b>... (CONTINUED ON I-831)</b>                                                                                                                                                                                                  |                                      |                      |             |                                                                                                                                                                                                               |                      |                    |                          |
| <b>JEFFREY OBRIST</b><br><b>CBPO</b>                                                                                                                                                                                                                                                                                                              |                                      |                      |             |                                                                                                                                                                                                               |                      |                    |                          |
| Alien has been advised of communication privileges _____ (Date/Initials) _____ (Signature and Title of Immigration Officer)                                                                                                                                                                                                                       |                                      |                      |             |                                                                                                                                                                                                               |                      |                    |                          |
| Distribution:<br><b>A FILE</b>                                                                                                                                                                                                                                                                                                                    |                                      |                      |             | Received: (Subject and Documents) (Report of Interview)<br>Officer: <b>JEFFREY OBRIST</b><br>on: <b>March 15, 2019</b> (time)<br>Disposition: <b>Expedited Removal</b> [REDACTED]<br>Examining Officer: _____ |                      |                    |                          |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                             |                                                                                                       |                            |                                       |                                                                                                       |  |                                                                |                                                                                       |                                                                                                                      |               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|----------------------------|---------------------------------------|-------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|---------------|
| Alien's Name<br>RIESS, Richard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | File Number A [REDACTED]<br>SIGMA Event: [REDACTED]<br>Event No: [REDACTED] | Date<br>03/15/2019                                                                                    |                            |                                       |                                                                                                       |  |                                                                |                                                                                       |                                                                                                                      |               |
| CHARGE CODES<br>-----<br>I6C2<br>I7A1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                             |                                                                                                       |                            |                                       |                                                                                                       |  |                                                                |                                                                                       |                                                                                                                      |               |
| SECTION CODES<br>-----<br>212a6C11<br>212a7A11                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                             |                                                                                                       |                            |                                       |                                                                                                       |  |                                                                |                                                                                       |                                                                                                                      |               |
| <p>RIESS, Richard (DOB 11/24/1973) AKA FOX, Patrick presented himself for inspection at the Peace Arch POE in Blaine, WA on March 15, 2019. RIESS was a pedestrian and proceeded to the Peace Arch secondary office for processing per port pedestrian processing procedures. Subject stated that he had previously been deported from the United States and that he did not expect to be admitted today but expected to be taken into custody to see an immigration judge. Subject presented a valid BC driver license under the name FOX, Patrick. System checks for FOX found that he had an extensive immigration record in the United States and an extensive criminal record in both the US and Canada. Subject was found to be a match to A# [REDACTED] by the name of RIESS, Richard by US immigration systems and is being processed by this name on today's immigration process.</p> <p>EARM checks for subject found that he had initially been issued a removal order in 2009 by an IJ and was removed 8/31/2011. After this first removal EARM shows that he has been issued 3 reinstatements of removal (1/2/13, 3/20/13 and 5/27/2016).</p> <p>Criminality checks for RIESS found that he was a match to FBI # [REDACTED]. With again EARM showing convictions for the following charges-</p> <p>03/20/2013 2607 Fraud - False Statement 02/13/2009<br/>01/02/2013 5404 Driving Under Influence Liquor 04/18/2002<br/>01/02/2013 5499 Traffic Offense 06/18/2003<br/>01/02/2013 5404 Driving Under Influence Liquor 06/18/2003<br/>01/02/2013 5003 Perjury 02/13/2009<br/>01/02/2013 0302 False Citizenship 02/13/2009</p> <p>In Canada Subject is a match to FPS# 275788G and following record-</p> <p>FPS: 275788G<br/>FOX, PATRICK HENRY</p> <table border="0"><tr><td>2017-11-10<br/>VANCOUVER BC</td><td>(1) CRIMINAL HARASSMENT<br/>SEC 264 CC</td><td>(1) PROBATION 3 YRS (17 MOS<br/>PRE-SENTENCE CUSTODY) &amp;<br/>MANDATORY WEAPONS<br/>PROHIBITION SEC 109 CC</td></tr><tr><td></td><td>(2) POSS OF A FIREARM AT<br/>UNAUTHORIZED PLACE<br/>SEC 93(1) CC</td><td>(2) (17 MOS PRE-SENTENCE<br/>CUSTODY) &amp; MANDATORY<br/>WEAPONS PROHIBITION SEC<br/>109 CC</td></tr></table> <p>(RCMP BURNABY MUN 2016-25379)</p> <p>Subject was placed under oath and a sworn statement was taken to determine admissibility to the US. In statement RIESS repeated stated that he felt he was a United States citizen but would not elaborate on how he was or under what name he was born a US citizen as he feared this would incriminate him. [REDACTED] [REDACTED]</p> <p>[REDACTED]... (CONTINUED ON NEXT PAGE)</p> <table border="1"><tr><td>Signature<br/><br/>JEFFREY OBRECHT</td><td>Title<br/>CBPO</td></tr></table> |                                                                             |                                                                                                       | 2017-11-10<br>VANCOUVER BC | (1) CRIMINAL HARASSMENT<br>SEC 264 CC | (1) PROBATION 3 YRS (17 MOS<br>PRE-SENTENCE CUSTODY) &<br>MANDATORY WEAPONS<br>PROHIBITION SEC 109 CC |  | (2) POSS OF A FIREARM AT<br>UNAUTHORIZED PLACE<br>SEC 93(1) CC | (2) (17 MOS PRE-SENTENCE<br>CUSTODY) & MANDATORY<br>WEAPONS PROHIBITION SEC<br>109 CC | Signature<br><br>JEFFREY OBRECHT | Title<br>CBPO |
| 2017-11-10<br>VANCOUVER BC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | (1) CRIMINAL HARASSMENT<br>SEC 264 CC                                       | (1) PROBATION 3 YRS (17 MOS<br>PRE-SENTENCE CUSTODY) &<br>MANDATORY WEAPONS<br>PROHIBITION SEC 109 CC |                            |                                       |                                                                                                       |  |                                                                |                                                                                       |                                                                                                                      |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | (2) POSS OF A FIREARM AT<br>UNAUTHORIZED PLACE<br>SEC 93(1) CC              | (2) (17 MOS PRE-SENTENCE<br>CUSTODY) & MANDATORY<br>WEAPONS PROHIBITION SEC<br>109 CC                 |                            |                                       |                                                                                                       |  |                                                                |                                                                                       |                                                                                                                      |               |
| Signature<br><br>JEFFREY OBRECHT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Title<br>CBPO                                                               |                                                                                                       |                            |                                       |                                                                                                       |  |                                                                |                                                                                       |                                                                                                                      |               |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                             |                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|---------------------------|
| Alien's Name<br><b>RIESS, Richard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | File Number A [REDACTED]<br>SIGMA Event: [REDACTED]<br>Event No: [REDACTED] | Date<br><b>03/15/2019</b> |
| <p>[REDACTED]</p> <p>Due to the statements made by RIESS he is being found to be inadmissible to the United States under 212a6CII of the INA for making a false claim to US citizenship and 212a7A of the INA for being an immigrant without an immigrant visa as he stated he is seeking to return to Los Angeles since he is homeless and unemployed in Canada. Subject is being issued an Expedited Removal per section 235(b) of the INA and is being taken into custody [REDACTED]. Subject is being served I860, I867a and b, I296 warnings, [REDACTED] list of free legal services. Subject is being transported to the NWDC to await hearing. The above actions were approved by SCBPO Brown, Chief Nash and Watch Commander Elsbey.</p> |                                                                             |                           |
| Signature<br><br><b>JEFFREY OBRIST</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Title<br><b>CBPO</b>                                                        |                           |

3 of 3 Pages

# Desiree Capuano

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Regina v. Patrick Fox - The BC Government's Efforts to Make Patrick Fox Shut Down this Website!

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## This Website is About Standing Up to Tyranny!

0:00

This website is about free speech! It's about exposing lying, cheating, manipulators so they can't keep lying, cheating, and taking advantage of the kindness and decency of good people. It's about not lying down and taking it up the ass when the tyrannical, politically correct, feminist segment of society tells you you're a man - that's your role! And it's about exposing the corruption and the misconduct that occurs every day in Canadian justice system.

### Why the BC Government Refuses to Get a US Court Order

Every time the BC justice system prosecutes Patrick for refusing to shut down this website, that greasy Chris Johnson argues that this website MUST be taken down in order to protect Desiree Capuano from the ongoing harassment it's causing her. Yet, they refuse to apply for a US court order for the hosting provider to take it down.

If the BC government really believed this website was harming Desiree and their goal was to protect her then they would focus their efforts on actually getting it taken down - not on prosecuting and imprisoning Patrick Fox, a pursuit which, so far, has done absolutely nothing to get this website taken down. No, my friends, the reasons the BC government wants this website shut down is 1) there's a huge amount of proof of all the corruption that's been going on in Patrick's cases in the **R. v. Fox section**, and 2) because they told Patrick to shut it down!

To date, not a single complaint has been filed with this website's hosting provider - not by the BC government and not by Desiree Capuano. Not a single application for an injunction against the hosting provider has been filed in the Arizona court.

So, this website remains.

2016-03-22      5,350 views | 6 comments

**And Yet More Proof I'm Lying to You  
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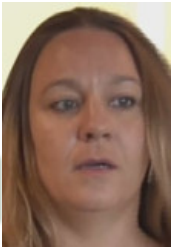
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I Admitted I've Been Using Our Son as a Pawn to Control Patrick

Perspective: Editor

5 views | 0 comments

May 1, 2022 | 10:10 pm PDT

At Patrick Fox's trial for criminal harassment based on this website, back in 2017, and in the Canadian news media in 2016-2017, there was a lot a attention given to the fact that Patrick had once said to me, in an email, that he was using our son as a pawn in his scheme to ruin my life. The thing is, even though he had said it, he never actually did it. It was just something he said to antagonize me. I knew at the time, as I always did, that Patrick would never use our son in that way.



I, on the other hand, would have no reservations about using our son, or anyone else for that matter, in any way, when it serves my purposes. In fact, in 2016, when the RCMP sent a couple of officers down here to Arizona to interview me in person for the criminal harassment case against Patrick, I actually, openly, and even jovially admitted to them that I had, in fact, been using our son as a pawn to try to force Patrick to do what I wanted. Specifically, I said I had told Patrick that if he just takes down the website then everything could go back to normal, he could visit with [our son] again. Yeah, that's pretty clear, right? Don't do what I want and you can't have contact with your son; do what I want and you can have contact with your son.

Recording of Desiree admitting she's been withholding visitation with their son from Patrick to try to force him to take down this website.

0:00 / 0:00

And once again, we come back to how shockingly delusional you masses of idiots out there are. Now that I've provided you proof that I, and not Patrick, was the one using our child as a weapon against the other person, you will still tell yourselves that, no, Patrick did it! Desiree could not have done that because a mother would never do such a thing. Moreover, even if she did do it, it's not her fault because she's the victim – that horrible monster Patrick Fox made her do it.

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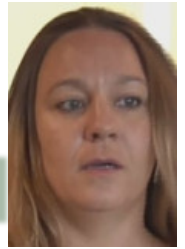
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## BC Government Admits This Website is Not Illegal

Perspective: Editor

6 views | 0 comments

May 2, 2022 | 2:13 pm PDT

Judge a person on their actions, not on their words. Words mean nothing when they are contrary to a person's actions.

Over the past three years the BC Government has repeatedly prosecuted Patrick Fox for violating his probation orders by refusing to take down this website. Patrick has now spent almost six years in Canadian jail/prison over this website. The BC government insists it's because of the harassment and harm this website is causing poor, little Miss Capuano.

However, the BC Government steadfastly refuses to apply to a US court for an injunction against the hosting provider to take down the website. You would think, if the BC Government's goal was to protect Desiree from the supposedly outrageous harm this website is causing her, then they would focus some effort on doing something that might actually cause the website to cease to be publicly accessible. Obviously, locking Patrick up in jail on probation violations hasn't been working. And, if there was anything illegal about this website you would think a US court would order the hosting provider to take it down.

The BC Government cannot plausibly claim it's an issue of resources, as Det. Jennifer Fontana claimed in her testimony at one of Patrick's trials ([court transcript at page 37 line 42 – page 38 line 7](#)), because they certainly don't seem to be lacking in the resources to surveil, investigate, arrest, detain, prosecute, and incarcerate Patrick five times and for six years over the same website they refuse to apply to a US court to have taken down on the grounds that it's harassing and causing grievous harm to a US citizen in the US.

Yet, here we are, eight years later and the website is still publicly accessible. And, what's more, each time the BC Government has prosecuted Patrick all they've accomplished was to provide him more and more proof of the corruption and misconduct that has been going on in those cases (see the [R. v. Fox section of this site](#)). And somehow, all that proof keeps ending up on this very website that they're trying to force him to take down – funny, huh?

During his interrogation of Patrick on 2020-09-17, VPD Detective Kyle Dent admitted to Patrick there's nothing illegal about this website. And, on 2021-02-02, in open court, on the record, Crown Counsel Chris Johnson and BC Provincial Court Judge Gregory Rideout admitted the reason they're prosecuting Patrick for those breaches is because Crown disclosure material keeps ending up on this website ([court transcript at page 33 lines 12-22](#)) – not because of any supposed harm to Desiree.

So, while the BC Government may not have actually, officially, said the words publicly, their refusal to take any action which might actually cause this website to be taken down proves they acknowledge there is, in fact, nothing illegal about it. And any harm caused to Desiree by this website is entirely of her own doing – after all, all this site is doing is exposing the truth about who Desiree really is.

And one final point on this topic, if this website is really causing Desiree so much harm then why is it that the only time she fusses about it is when the BC prosecutors, or the BC Victim Services people hound her to do so? Why is it that in the past more-than-three-years that this site has been hosted with the current hosting provider who, by the way, is located in Arizona – the very same state Desiree lives in – she has not filed a single complaint about this site with that hosting provider? Nor has she gone to court in Arizona to seek an injunction against that hosting provider to take down this site. In fact, over the past seven years, it seems Ms. Capuano's efforts really have been focused more on what she can do to adversely affect Patrick, by having him arrested, detained, deported, and of course, imprisoned; than on actually getting this website taken down. No, we believe Desiree wants this website to remain publicly accessible so she can continue to use it to get people's pity and sympathy. There's nothing an evil, manipulative, sociopathic, woman wants more than people's sympathy.

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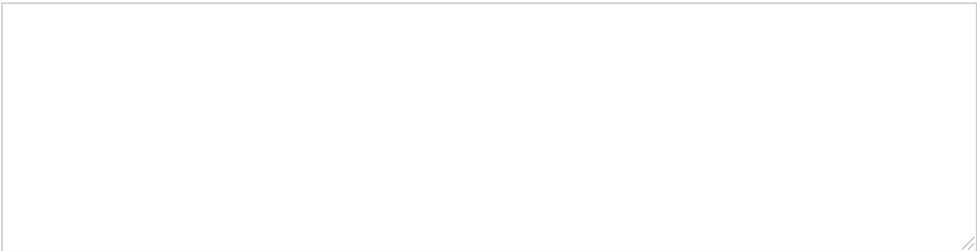
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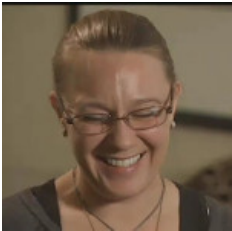
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I Committed 81 Instances of Perjury

Perspective: Desiree5 views0 comments

May 6, 2022 | 9:21 am PDT

I testified at Patrick Fox's criminal harassment trial related to this website, in Vancouver, Canada and committed over 81 instances of perjury, and not a thing has happened to me! Not a single charge. In fact, the BC justice system continues to portray me as the victim and has kept Patrick in jail for almost six years. Ah, what a wonderful justice system they have up there in Canada.



The proof of all of that perjury I committed has been publicly accessible on this website for over three years (Affidavit of Ineffective Assistance of Counsel). It even contains concrete proof that the prosecutor, Mark Myhre, and the defense lawyer, Tony Lagemaat, knew I was lying yet they refused to inform the judge or the jury.

At that trial, Patrick was convicted of criminal harassment and sentenced to three years and ten months in prison – based on my lies. Fucking awesome!

And even though the proof that I lied is plainly right here on this website, all the judges, police, prosecutors, and news media in Canada consistently ignore it and pretend it doesn't exist, and continue to insist Patrick is the bad guy and I've never done a single thing wrong. Ah, God I love that victim culture. It just makes it so easy for people like me to get what I want and to destroy anybody who gets in my way – just lie; shed some tears; a couple of sobs; maybe a shaky exhale, for dramatic effect; and suddenly you can do o wrong.

And you, all you brain dead masses, you read this right now yet you refuse to accept that I, a victimized female, could possibly have exploited and manipulated all of you and the judges and the jury and the prosecutors and the police. No! It's not Desiree's fault, you tell yourself. She's the victim. The victim never does bad. Victims are always completely good and predators are always completely bad, right? Fuck you're stupid.

And there are those of you who will say, even if the victim does do something bad, it's not her fault, it's because of what the men in her life have done to her. How did you get to be so painfully stupid?

Have you all really not noticed that over the past six years I have not done a single thing that could reasonably be expected to result in this website being taken offline? That every single thing I have done has been focused on what could be expected to cause Patrick to be arrested, imprisoned, or otherwise adversely affected – without actually causing this website to go away?

So, I commit an outrageous amount of perjury and absolutely nothing happens to me. I'm called the victim and given complete immunity. And the person I accused, who didn't even do a single thing wrong, goes to prison for six years based on those lies. God damn, I love being me.

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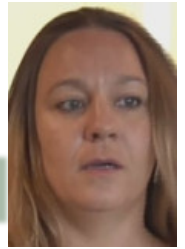
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Perspective: Editor

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May 7, 2022 | 7:42 am PDT

On 2021-11-08 Crown Counsel provided Patrick a packet of disclosure material. The packet included a document referred to as a **"Forensic Acquisition Summary" (FAS)**, which is a report of the actions taken by the Digital Forensics Unit regarding the search and/or extraction of data from Patrick's seized electronics devices. The report and the work being reported on was performed by VPD **Detective Nancy Yingling**. There was little of interest in the FAS, but what WAS interesting was that there were two additional pages attached at the end of the report. Those pages had nothing to do with Patrick's case. They were from another of **Detective Kyle Dent's** cases.

Obviously, the VPD and the Crown are entrusted to not distribute or disseminate the disclosure material in any cases, other than to the defendant of the particular case.

When Patrick noticed this error, he kept quiet about it. He didn't inform the Crown or the police. He figured he would bring it up during his cross-examination of Detectives Yingling and Dent – that way it's on the record and can't be denied or covered up.

At the trial, Det. Yingling was not available to testify. This is not surprising, given her history of deliberately misleading and even lying in her sworn statements. However, Det. Dent WOULD be testifying. Earlier in the proceedings, Crown Counsel Chris Johnson, had offered to proceed with the trial based only on **Det. Janine Tanino's** testimony, without Dent. That would have been interesting since Tanino had no significant evidence to contribute. Nevertheless, Patrick was adamant about Dent testifying and, since he was the lead investigator, there's no way Johnson could argue he has no relevant information.

So, on cross-examination, Patrick asked Dent if he's familiar with something called a Forensic Acquisition Summary. Dent said no. Patrick passed him a copy of the document he had received. Dent looked through it then acknowledged that he is familiar with it but that there are a couple pages at the end that don't appear to be related to Patrick's case. Patrick said "Right". Dent proceeded to assure Patrick and the court that the additional pages have no relevance to Patrick's case. No fucking shit, dumb ass. Dent said he's shocked that that's in there. Patrick asked him if he could explain how it is that someone else's disclosure got mixed up with his. Dent said he couldn't answer that, it's a question that would have to be directed to Det. Yingling since she would have been the one that made the error. Patrick asked Dent if this is something that happens often. Dent replied "I certainly hope not".

Later in trial, toward the end of Dent's testimony, the issue of the erroneous disclosure material came up again. Dent expressed concern about there being any other copies. Dent asked Patrick if he had any other copies of the document. Patrick replied that the one he has is actually the Crown's copy. Dent said, to the court, that he'd like to make sure all copies of the extra pages be removed from the disclosure and shredded. The judge asked Patrick if he had any other copies and Patrick said he had no other copies in his possession or control. But he pointed out that a few months prior a couple of Crown disclosure hard drives had gone missing. The judge asked Patrick if he had given any copies to anyone else. Patrick said no. Go ahead, jackasses, lock Patrick up for exposing your fuck-ups.

But what's more troubling than the VPD inadvertently giving Patrick someone else's disclosure, is that the Crown is supposed to vet that disclosure material before providing it to Patrick. How is it possible that no one in the BC Prosecution Service noticed the erroneous disclosure? I mean, it has the different VPD case number at the top of each page, for fuck sakes! Are they that inept? Or careless?

For the skeptics among you, here is the transcript of the trial with the interactions described above (**Transcript p78111-34, p83141 – p84146**).

And so, that's all there is to say about this.

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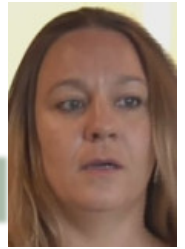
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## I Defraud the Public and Still Nothing Happens to Me

Perspective: Desiree

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May 8, 2022 | 12:06 pm PDT

In 2016 I created a GoFundMe campaign ([Stop the Harassment](#)), purportedly to raise money to help me expunge my public records and get this website taken down, so I could hopefully get on with my life without living under the shadow of this horrible, horrible website.

And when I testified about it at Patrick Fox's criminal harassment trial in 2017, I admitted on cross-examination that I didn't actually use the money I received for that purpose at all. I admitted, quite openly and proudly, that I had taken the money that good, decent, compassionate people who truly felt bad for me having to go through such a horrible experience as this, had given me based on my emotional pleas, and I spent that money on completely other stuff. Fucking suckers!



And so, even after admitting I defrauded the public, I deliberately exploited the kindness, decency, compassion, and goodness of total strangers, all for my own personal and completely fraudulent purposes, you all still told yourself it's not her fault, she's a victim. And besides, she deserves it, look at horror she's had to go through because of this hideous website. Sure, this website that I've never done a single thing to get taken down. This website which, really, is doing nothing more than exposing the truth about what a horrible person I really am. I've said it before and I'll say it again – the is no limit to how stupid you masse of people are.

Now go scream to your local politicians and news media about how Patrick Fox needs to be locked up. How dare a man tell the truth about a woman I today's society.

P.S. Thanks for the money, dumb asses.

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## Judge Kathryn Denhoff and Her Delusional Reasons for Judgment

Perspective: Editor

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May 11, 2022 | 6:38 pm PDT

In this article, we'll review BC Provincial Court Judge Kathryn Denhoff's **Reasons for Judgment (RFJ)** in Patrick's 2022 breach of probation case. As you'll see, Denhoff's RFJ is a shining example of how delusional and full of shit the BC justice system is.

Let's jump in, shall we?

Note: In the transcript references below, "TR-23" refers to the transcript of 2022-02-23 and "TR-25" refers to the transcript 2022-02-25.

*Mr. Fox did not dispute that on August 12, 13, 14, 15 and 16, 2021, the website www.desicapuano.com was operational and could be viewed by anyone capable of accessing the internet.*

Paragraph 3

But during Johnson's cross-examination of Patrick, the judge asked about this and Patrick actually said "I have no first-hand knowledge of it...I didn't continuously check that the website was still up and running. I mean, more appropriately, I would say I don't dispute that the the website was online for most of that time." (TR-25 p21114-27).

*The crown called a civilian analyst with the Vancouver Police Department who testified that she checked the website www.desicapuano.com on August 12, 13, 14 and 15, 2021 and it was accessible and active on each of those days.*

Paragraph 4

But that same analyst, Catherine Meiklejohn, also testified on cross, that she only checked the website once on each of those days, and that she has no knowledge of whether the website actually remained online, continuously, between each of those times she checked it, or if it had actually been taken down at any point other than when she checked it (TR-23 p5119 – p6110). The judge made no mention of this critical fact and admission in her RFJ.

*On August 15, 2021, the analyst accessed the website at 6:10pm and it was still active and accessible, which was more than 48 hours after Mr. Fox's release from custody.*

Paragraph 4

Again, the judge ignored the fact that Micklejohn admitted she had no knowledge of whether the website had been taken down at any point following Patrick's release from custody. She only knew it was accessible at that one moment each day when she checked it. This is significant because she, and the judge, cannot claim it was "still" active – "still" means it was active continuously; that it had not been taken offline at any point following Patrick's release from custody. And that is significant because the probation condition only required Patrick to take steps to cause the website to be 'no longer available' – the condition did not require Patrick to do anything on a perpetual or ongoing basis once the website was rendered no longer available. So, as long as Patrick took steps which caused the website to be no longer available within 48 hours of his release, then he complied with the condition – regardless of how long the website remained no longer available. The condition did not state for how long the website was required to remain no longer available. Therefore, if the website was made no longer available for even five minutes then Patrick had complied with the condition.

*Mr. Fox further stated that he transferred ownership and control of the website so he would not be obligated to take it down in accordance with the probation order.*

Paragraph 6

That is incorrect. Patrick said "...so I couldn't be compelled to take it down". There is a significant difference between "would not" and "could not".

*When Mr. Fox was asked if he had access to the website, he stated that he would not answer the question.*

Paragraph 7

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That is completely false! Patrick unequivocally and directly stated he does not have access to the website (**TR-23 p2011-9**).

*Although Mr. Fox said he would provide a copy of that email at a later date, he did not ever do so, even though his laptop was made available in the courtroom during the trial and he could have accessed the email.*

Paragraph 7

Actually, Patrick had told Tanino he would provide her a copy of the email once he's released from custody, because he doesn't have access to email at NFPC (**TR-23 p28146 – p2914**). That is why Patrick still had not sent her a copy of the email.

And, Patrick was very clear in court about why he chose not to access the laptop in the trial – that would open the laptop to inspection by the Crown and/or the police and the judge possibly ordering Patrick to provide the encryption passwords to the police (**TR-25 p30143 – p3118**). This was said while Patrick was still testifying, so it's evidence, not just arguments. Moreover, accessing the email would have nothing to do with that specific laptop because, as Johnson even admitted, gmail emails are stored on the server, not in the laptop (**TR-23 p77124-32**). Any computer with internet access could have been used.

*Mr. Fox claims that he did not access the email in the courtroom because he did not want the police to have access to all of his computer content in the courtroom.*

Paragraph 7

That is false! Patrick did not say he didn't want to access the email for that reason. He said he didn't want to pull the laptop into the trial for that reason (**TR-25 p30143 – p3118**). The email could have been accessed from any computer which could connect to the internet because gmail stores the messages on the server, as was discussed in the trial and admitted to by Johnson (**TR-23 p77124-32**).

*However, by that time, the police had already searched the computer.*

Paragraph 7

That is also false! The police only searched the small, unused Windows partition. They didn't even know Patrick used Linux on the laptop and that there was another, encrypted Linux partition (**TR-23 p74147 – p76110, p92123-32**).

*Mr. Fox could have asked for the court's permission to access the email on his laptop himself in order to show it to the court without the police seeing the other content.*

Paragraph 7

But this still would have resulted in the laptop being brought into the trial as evidence, which means the Crown would have the right to challenge it, and that would mean the court could order Patrick to provide the encryption passwords, so the Crown/police could investigate it for the purpose of "determining the legitimacy of the email". Also, since the message is stored on gmail's server, not on the laptop, then there is no reason Patrick would have to use the laptop to access it. I believe this was just a ploy to trick Patrick into bringing the laptop into the trial so he would have to disclose the passwords.

Moreover, since it was the Crown's and the judge's belief that Patrick owned and/or controlled the website, the email wouldn't have mattered because Johnson would have claimed it was, essentially, an email from Patrick to himself, that Patrick was editor@desicapuano.com.

*During his testimony, Mr. Fox contradicted his earlier statements about transferring ownership and control of the website www.desicapuano.com.*

Paragraph 11

But as Patrick stated in his testimony, regardless of any admissions he may have made, the indisputable fact that he was in custody at FRCC when the website went online irrefutably proves that he could not, possibly, have had any involvement in putting it online – he had no access to the internet or to the content (**TR-25 p17127-37**). And, when Johnson asked him if it is now his "evidence" that he did not create the website, Patrick stated "right now, under oath, subject to being charged with perjury and having sworn that...everything that I say is true...I say I had no direct involvement in putting that website online...", and I point out that that's proven by the fact that Patrick was in custody at FRCC at the time (**TR-25 p21130 – p2211**).

Since the actual, physical evidence and reality is consistent with Patrick's testimony and contrary to his statements to the police, then that obviously means he was telling the truth on the stand and lying to the police.

Also, Johnson asked Patrick if he's suggesting he admitted to things he didn't do. Patrick replied that he had said things to the police that he and the they knew were not true because he was deliberately trying to get them to start a prosecution for criminal harassment. Patrick further stated he doesn't see how that is much different from the police making false statements to him, in order to build a false rapport, so he would say things they can use against him. Patrick said "If it's okay for them to lie and manipulate me then it should be okay for me to do it back to them" (**TR-25 p15140 – p1618**).

The fact that the police, the prosecutors, and the judges all accepted Patrick's admissions without any investigation into them, even though it would have been impossible for the admissions to be true, proves that the police don't care about the truth – their investigations are strictly to find evidence to support a conviction and to ignore and suppress everything exculpatory; the prosecutors don't care

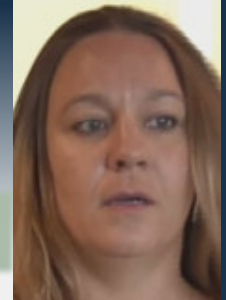
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| <b>Date captured</b> | May 16th 2022, 9:24:31AM                                         |
| <b>Last updated</b>  | May 16th 2022, 9:24:31AM                                         |
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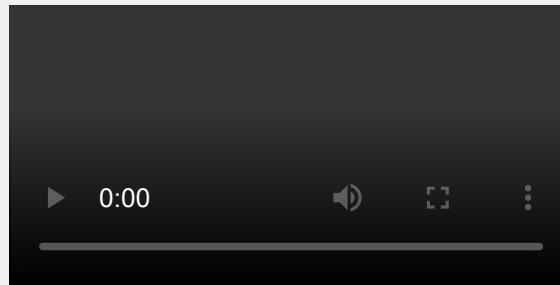
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## This Website is About Standing Up to Tyranny!



This website is about free speech! It's about exposing lying, cheating, manipulators so they can't keep lying, cheating, and taking advantage of the kindness and decency of good people. It's about not lying down and taking it up the ass when the tyrannical, politically correct, feminist segment of society tells you you're a man - that's your role! And it's about exposing the corruption and the misconduct that occurs every day in Canadian justice system.

## Why the BC Government Refuses to Get a US Court Order

Every time the BC justice system prosecutes Patrick for refusing to shut down this website, that greasy Chris Johnson argues that this website MUST be taken down in order to protect Desiree Capuano from the ongoing harassment it's causing her. Yet, they refuse to apply for a US court order for the hosting provider to take it down.

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If the BC government really believed this website was harming Desiree and their goal was to protect her then they would focus their efforts on actually getting it taken down - not on prosecuting and imprisoning Patrick Fox, a pursuit which, so far, has done absolutely nothing to get this website taken down. No, my friends, the reasons the BC government wants this website shut down is 1) there's a huge amount of proof of all the corruption that's been going on in Patrick's cases in the **R. v. Fox section**, and 2) because they told Patrick to shut it down!

To date, not a single complaint has been filed with this website's hosting provider - not by the BC government and not by Desiree Capuano. Not a single application for an injunction against the hosting provider has been filed in the Arizona court.

So, this website remains.

Desiree Capuano & James Pendleton  
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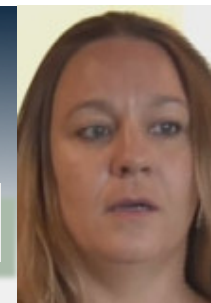
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| <b>Date captured</b> | May 16th 2022, 9:25:39AM                                                                                                                                                                                        |
| <b>Last updated</b>  | May 16th 2022, 9:25:39AM                                                                                                                                                                                        |
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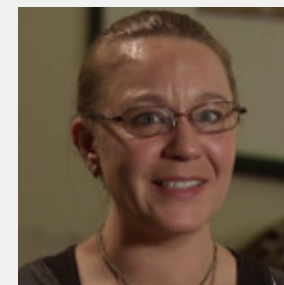
## I Admitted I've Been Using Our Son as a Pawn to Control Patrick

Perspective: Editor

5 views | 0 comments

May 1, 2022 | 10:10 pm PDT

At Patrick Fox's trial for criminal harassment based on this website, back in 2017, and in the Canadian news media in 2016-2017, there was a lot of attention given to the fact that Patrick had once said to me, in an email, that he was using our son as a pawn in his scheme to ruin my life. The thing is, even though he had *said* it, he never actually did it. It was just something he said to antagonize me. I knew at the time, as I always did, that Patrick would never use our son in that way.



I, on the other hand, would have no reservations about using our son, or anyone else for that matter, in *any* way, when it serves my purposes. In fact, in 2016, when the RCMP sent a couple of officers down here to Arizona to interview me in person for the criminal harassment case against Patrick, I actually, openly, and even jovially admitted to them that I had, in fact, been using our son as a pawn to try to force Patrick to do what I wanted. Specifically, I said I had told Patrick that if he just takes down the website then everything could go back to normal, he could visit with [our son] again. Yeah, that's pretty clear, right? Don't do what I want and you can't have contact with your son; do what I want and you can have contact with your son.

*Recording of Desiree admitting she's been withholding visitation with their son from Patrick to try to force him to take down this website.*

▶ 0:00 / 0:00



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And once again, we come back to how shockingly delusional you masses of idiots out there are. Now that I've provided you proof that I, and not Patrick, was the one using our child as a weapon against the other person, you will still tell yourselves that, no, Patrick did it! Desiree could not have done that because a mother would never do such a thing. Moreover, even if she *did* do it, it's not her fault because she's the victim – that horrible monster Patrick Fox made her do it.

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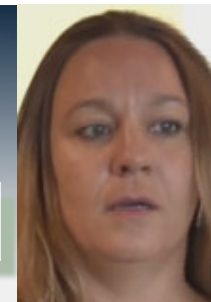
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Perspective: Editor

6 views | 0 comments

May 2, 2022 | 2:13 pm PDT

Judge a person on their actions, not on their words. Words mean nothing when they are contrary to a person's actions.

Over the past three years the BC Government has repeatedly prosecuted Patrick Fox for violating his probation orders by refusing to take down this website. Patrick has now spent almost six years in Canadian jail/prison over this website. The BC government insists it's because of the harassment and harm this website is causing poor, little Miss Capuano.

However, the BC Government steadfastly refuses to apply to a US court for an injunction against the hosting provider to take down the website. You would think, if the BC Government's goal was to protect Desiree from the supposedly outrageous harm this website is causing her, then they would focus some effort on doing something that might actually cause the website to cease to be publicly accessible. Obviously, locking Patrick up in jail on probation violations hasn't been working. And, if there was anything illegal about this website you would think a US court would order the hosting provider to take it down.

The BC Government cannot plausibly claim it's an issue of resources, as Det. Jennifer Fontana claimed in her testimony at one of Patrick's trials (**court transcript at page 37 line 42 – page 38 line 7**), because they certainly don't seem to be lacking in the resources to surveil, investigate, arrest, detain, prosecute, and incarcerate Patrick five times and for six years over the same website they refuse to apply to a US court to have taken down on the grounds that it's harassing and causing grievous harm to a US citizen in the US.

Yet, here we are, eight years later and the website is still publicly accessible. And, what's more, each time the BC Government has prosecuted Patrick all they've accomplished was to provide him more and more proof of the corruption and misconduct that has been going on in those cases (see the **R. v. Fox**

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[section of this site](#)). And somehow, all that proof keeps ending up on this very website that they're trying to force him to take down – funny, huh?

During his interrogation of Patrick on 2020-09-17, VPD Detective Kyle Dent admitted to Patrick there's nothing illegal about this website. And, on 2021-02-02, in open court, on the record, Crown Counsel Chris Johnson and BC Provincial Court Judge Gregory Rideout admitted the reason they're prosecuting Patrick for those breaches is because Crown disclosure material keeps ending up on this website ([court transcript at page 33 lines 12-22](#)) – not because of any supposed harm to Desiree.

So, while the BC Government may not have actually, officially, said the words publicly, their refusal to take any action which might actually cause this website to be taken down proves they acknowledge there is, in fact, nothing illegal about it. And any harm caused to Desiree by this website is entirely of her own doing – after all, all this site is doing is exposing the truth about who Desiree really is.

And one final point on this topic, if this website is really causing Desiree so much harm then why is it that the only time she fusses about it is when the BC prosecutors, or the BC Victim Services people hound her to do so? Why is it that in the past more-than-three-years that this site has been hosted with the current hosting provider who, by the way, is located in Arizona – the very same state Desiree lives in – she has not filed a single complaint about this site with that hosting provider? Nor has she gone to court in Arizona to seek an injunction against that hosting provider to take down this site. In fact, over the past seven years, it seems Ms. Capuano's efforts really have been focused more on what she can do to adversely affect Patrick, by having him arrested, detained, deported, and of course, imprisoned; than on actually getting this website taken down. No, we believe Desiree wants this website to remain publicly accessible so she can continue to use it to get people's pity and sympathy. There's nothing an evil, manipulative, sociopathic, woman wants more than people's sympathy.

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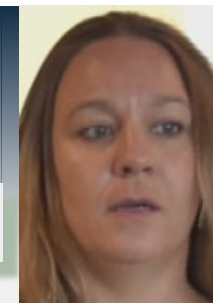
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| <b>Hash</b>          | 7315d62f7bffd27f318401e0f912b0b97e7f193f959306829ff889c3608a998f                                                                                          |

# Desiree Capuano

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Perspective: Desiree

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May 6, 2022 | 9:21 am PDT

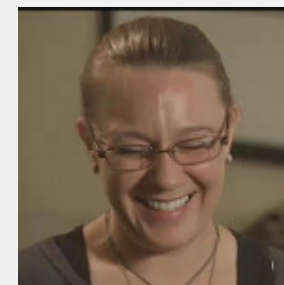
In 2017 I testified at Patrick Fox's criminal harassment trial related to this website, in Vancouver, Canada and committed over 81 instances of perjury, and not a thing has happened to me! Not a single charge. In fact, the BC justice system continues to portray me as the victim and has kept Patrick in jail for almost six years. Ah, what a wonderful justice system they have up there in Canada.

The proof of all of that perjury I committed has been publicly accessible on this website for over three years (**Affidavit of Ineffective Assistance of Counsel**). It even contains concrete proof that the prosecutor, Mark Myhre, and the defense lawyer, Tony Lagemaat, knew I was lying yet they refused to inform the judge or the jury.

At that trial, Patrick was convicted of criminal harassment and sentenced to three years and ten months in prison – based on my lies. Fucking awesome!

And even though the proof that I lied is plainly right here on this website, all the judges, police, prosecutors, and news media in Canada consistently ignore it and pretend it doesn't exist, and continue to insist Patrick is the bad guy and I've never done a single thing wrong. Ah, God I love that victim culture. It just makes it so easy for people like me to get what I want and to destroy anybody who gets in my way – just lie; shed some tears; a couple of sobs; maybe a shaky exhale, for dramatic effect; and suddenly you can do o wrong.

And you, all you brain dead masses, you read this right now yet you refuse to accept that I, a victimized female, could possibly have exploited and manipulated all of you and the judges and the jury and the prosecutors and the police. No! It's not Desiree's fault, you tell yourself. She's the victim. The victim



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never does bad. Victims are always completely good and predators are always completely bad, right? Fuck you're stupid.

And there are those of you who will say, even if the victim does do something bad, it's not her fault, it's because of what the men in her life have done to her. How did you get to be so painfully stupid?

Have you all really not noticed that over the past six years I have not done a single thing that could reasonably be expected to result in this website being taken offline? That every single thing I have done has been focused on what could be expected to cause Patrick to be arrested, imprisoned, or otherwise adversely affected – without actually causing this website to go away?

So, I commit an outrageous amount of perjury and absolutely nothing happens to me. I'm called the victim and given complete immunity. And the person I accused, who didn't even do a single thing wrong, goes to prison for six years based on those lies. God damn, I love being me.

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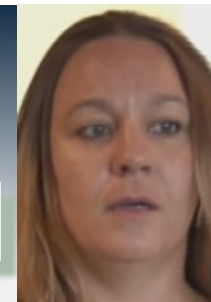
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Perspective: Editor

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May 7, 2022 | 7:42 am PDT

On 2021-11-08 Crown Counsel provided Patrick a packet of disclosure material. The packet included a document referred to as a **"Forensic Acquisition Summary" (FAS)**, which is a report of the actions taken by the Digital Forensics Unit regarding the search and/or extraction of data from Patrick's seized electronics devices. The report and the work being reported on was performed by VPD **Detective Nancy Yingling**. There was little of interest in the FAS, but what WAS interesting was that there were two additional pages attached at the end of the report. Those pages had nothing to do with Patrick's case. They were from another of **Detective Kyle Dent's** cases.

Obviously, the VPD and the Crown are entrusted to not distribute or disseminate the disclosure material in any cases, other than to the defendant of the particular case.

When Patrick noticed this error, he kept quiet about it. He didn't inform the Crown or the police. He figured he would bring it up during his cross-examination of Detectives Yingling and Dent – that way it's on the record and can't be denied or covered up.

At the trial, Det. Yingling was not available to testify. This is not surprising, given her history of deliberately misleading and even lying in her sworn statements. However, Det. Dent WOULD be testifying. Earlier in the proceedings, Crown Counsel Chris Johnson, had offered to proceed with the trial based only on **Det. Janine Tanino's** testimony, without Dent. That would have been interesting since Tanino had no significant evidence to contribute. Nevertheless, Patrick was adamant about Dent testifying and, since he was the lead investigator, there's no way Johnson could argue he has no relevant information.

So, on cross-examination, Patrick asked Dent if he's familiar with something called a Forensic Acquisition Summary. Dent said no. Patrick passed him a copy of the document he had received. Dent

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looked through it then acknowledged that he is familiar with it but that there are a couple pages at the end that don't appear to be related to Patrick's case. Patrick said "Right". Dent proceeded to assure Patrick and the court that the additional pages have no relevance to Patrick's case. No fucking shit, dumb ass. Dent said he's shocked that that's in there. Patrick asked him if he could explain how it is that someone else's disclosure got mixed up with his. Dent said he couldn't answer that, it's a question that would have to be directed to Det. Yingling since she would have been the one that made the error. Patrick asked Dent if this is something that happens often. Dent replied "I certainly hope not".

Later in trial, toward the end of Dent's testimony, the issue of the erroneous disclosure material came up again. Dent expressed concern about there being any other copies. Dent asked Patrick if he had any other copies of the document. Patrick replied that the one he has is actually the Crown's copy. Dent said, to the court, that he'd like to make sure all copies of the extra pages be removed from the disclosure and shredded. The judge asked Patrick if he had any other copies and Patrick said he had no other copies in his possession or control. But he pointed out that a few months prior a couple of Crown disclosure hard drives had gone missing. The judge asked Patrick if he had given any copies to anyone else. Patrick said no. Go ahead, jackasses, lock Patrick up for exposing your fuck-ups.

But what's more troubling than the VPD inadvertently giving Patrick someone else's disclosure, is that the Crown is supposed to vet that disclosure material before providing it to Patrick. How is it possible that no one in the BC Prosecution Service noticed the erroneous disclosure? I mean, it has the different VPD case number at the top of each page, for fuck sakes! Are they that inept? Or careless?

For the skeptics among you, here is the transcript of the trial with the interactions described above ([Transcript p78111-34, p83141 – p84146](#)).

And so, that's all there is to say about this.

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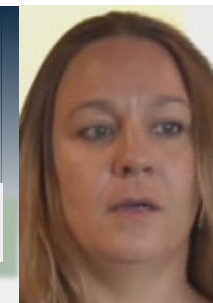
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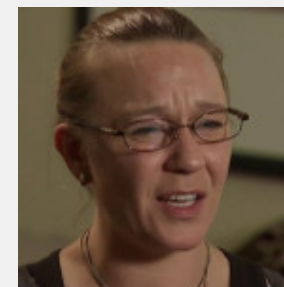
Perspective: Desiree

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May 8, 2022 | 12:06 pm PDT

In 2016 I created a GoFundMe campaign ([Stop the Harassment](#)), purportedly to raise money to help me expunge my public records and get this website taken down, so I could hopefully get on with my life without living under the shadow of this horrible, horrible website.

And when I testified about it at Patrick Fox's criminal harassment trial in 2017, I admitted on cross-examination that I didn't actually use the money I received for that purpose at all. I admitted, quite openly and proudly, that I had taken the money that good, decent, compassionate people who truly felt bad for me having to go through such a horrible experience as this, had given me based on my emotional pleas, and I spent that money on completely other stuff. Fucking suckers!



And so, even after admitting I defrauded the public, I deliberately exploited the kindness, decency, compassion, and goodness of total strangers, all for my own personal and completely fraudulent purposes, you all still told yourself it's not her fault, she's a victim. And besides, she deserves it, look at horror she's had to go through because of this hideous website. Sure, this website that I've never done a single thing to get taken down. This website which, really, is doing nothing more than exposing the truth about what a horrible person I really am. I've said it before and ill say it again – the is no limit to how stupid you masse of people are.

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Now go scream to your local politicians and news media about how Patrick Fox needs to be locked up. How dare a man tell the truth about a woman I today's society.

P.S. Thanks for the money, dumb asses.

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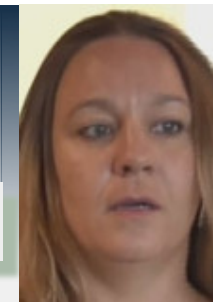
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## Judge Kathryn Denhoff and Her Delusional Reasons for Judgment

Perspective: Editor

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May 11, 2022 | 6:38 pm PDT

In this article, we'll review BC Provincial Court Judge Kathryn Denhoff's **Reasons for Judgment (RFJ)** in Patrick's 2022 breach of probation case. As you'll see, Denhoff's RFJ is a shining example of how delusional and full of shit the BC justice system is.

Let's jump in, shall we?

Note: In the transcript references below, "TR-23" refers to the transcript of 2022-02-23 and "TR-25" refers to the transcript 2022-02-25.

*Mr. Fox did not dispute that on August 12, 13, 14, 15 and 16, 2021, the website www.desicapuano.com was operational and could be viewed by anyone capable of accessing the internet.*

Paragraph 3

But during Johnson's cross-examination of Patrick, the judge asked about this and Patrick actually said "I have no first-hand knowledge of it...I didn't continuously check that the website was still up and running. I mean, more appropriately, I would say I don't dispute that the the website was online for most of that time." (**TR-25 p21114-27**).

*The crown called a civilian analyst with the Vancouver Police Department who testified that she checked the website www.desicapuano.com on August 12, 13, 14 and 15, 2021 and it was accessible and active on each of those days.*

Paragraph 4

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But that same analyst, Catherine Meiklejohn, also testified on cross, that she only checked the website once on each of those days, and that she has no knowledge of whether the website actually remained online, continuously, between each of those times she checked it, or if it had actually been taken down at any point other than when she checked it (**TR-23 p5119 – p6110**). The judge made no mention of this critical fact and admission in her RFJ.

*On August 15, 2021, the analyst accessed the website at 6:10pm and it was still active and accessible, which was more than 48 hours after Mr. Fox's release from custody.*

Paragraph 4

Again, the judge ignored the fact that Miklejohn admitted she had no knowledge of whether the website had been taken down at any point following Patrick's release from custody. She only knew it was accessible at that one moment each day when she checked it. This is significant because she, and the judge, cannot claim it was "still" active – "still" means it was active continuously; that it had not been taken offline at any point following Patrick's release from custody. And that is significant because the probation condition only required Patrick to take steps to cause the website to be 'no longer available' – the condition did not require Patrick to do anything on a perpetual or ongoing basis once the website was rendered no longer available. So, as long as Patrick took steps which caused the website to be no longer available within 48 hours of his release, then he complied with the condition – regardless of how long the website remained no longer available. The condition did not state for how long the website was required to remain no longer available. Therefore, if the website was made no longer available for even five minutes then Patrick had complied with the condition.

*Mr. Fox further stated that he transferred ownership and control of the website so he would not be obligated to take it down in accordance with the probation order.*

Paragraph 6

That is incorrect. Patrick said "...so I couldn't be compelled to take it down". There is a significant difference between "would not" and "could not".

*When Mr. Fox was asked if he had access to the website, he stated that he would not answer the question.*

Paragraph 7

That is completely false! Patrick unequivocally and directly stated he does not have access to the website (**TR-23 p2011-9**).

*Although Mr. Fox said he would provide a copy of that email at a later date, he did not ever do so, even though his laptop was made available in the courtroom during the trial and he could have accessed the email.*

Paragraph 7

Actually, Patrick had told Tanino he would provide her a copy of the email once he's released from custody, because he doesn't have access to email at NFPC (TR-23 p28146 – p2914). That is why Patrick still had not sent her a copy of the email.

And, Patrick was very clear in court about why he chose not to access the laptop in the trial – that would open the laptop to inspection by the Crown and/or the police and the judge possibly ordering Patrick to provide the encryption passwords to the police (TR-25 p30143 – p3118). This was said while Patrick was still testifying, so it's evidence, not just arguments. Moreover, accessing the email would have nothing to do with that specific laptop because, as Johnson even admitted, gmail emails are stored on the server, not in the laptop (TR-23 p77124-32). Any computer with internet access could have been used.

*Mr. Fox claims that he did not access the email in the courtroom because he did not want the police to have access to all of his computer content in the courtroom.*

Paragraph 7

That is false! Patrick did not say he didn't want to access the email for that reason. He said he didn't want to pull the laptop into the trial for that reason (TR-25 p30143 – p3118). The email could have been accessed from any computer which could connect to the internet because gmail stores the messages on the server, as was discussed in the trial and admitted to by Johnson (TR-23 p77124-32).

*However, by that time, the police had already searched the computer.*

Paragraph 7

That is also false! The police only searched the small, unused Windows partition. They didn't even know Patrick used Linux on the laptop and that there was another, encrypted Linux partition (TR-23 p74147 – p76110, p92123-32).

*Mr. Fox could have asked for the court's permission to access the email on his laptop himself in order to show it to the court without the police seeing the other content.*

Paragraph 7

But this still would have resulted in the laptop being brought into the trial as evidence, which means the Crown would have the right to challenge it, and that would mean the court could order Patrick to provide the encryption passwords, so the Crown/police could investigate it for the purpose of "determining the legitimacy of the email". Also, since the message is stored on gmail's server, not on the laptop, then there is no reason Patrick would have to use the laptop to access it. I believe this was just a ploy to trick Patrick into bringing the laptop into the trial so he would have to disclose the passwords.

Moreover, since it was the Crown's and the judge's belief that Patrick owned and/or controlled the website, the email wouldn't have mattered because Johnson would have claimed it was, essentially, an email from Patrick to himself, that Patrick was editor@desicapuano.com.

*During his testimony, Mr. Fox contradicted his earlier statements about transferring ownership and control of the website [www.desicapuano.com](http://www.desicapuano.com).*

Paragraph 11

But as Patrick stated in his testimony, regardless of any admissions he may have made, the indisputable fact that he was in custody at FRCC when the website went online irrefutably proves that he could not, possibly, have had any involvement in putting it online – he had no access to the internet or to the content (**TR-25 p17127-37**). And, when Johnson asked him if it is now his “evidence” that he did not create the website, Patrick stated “right now, under oath, subject to being charged with perjury and having sworn that...everything that I say is true...I say I had no direct involvement in putting that website online...”, and I point out that that’s proven by the fact that Patrick was in custody at FRCC at the time (**TR-25 p21130 – p2211**).

Since the actual, physical evidence and reality is consistent with Patrick’s testimony and contrary to his statements to the police, then that obviously means he was telling the truth on the stand and lying to the police.

Also, Johnson asked Patrick if he’s suggesting he admitted to things he didn’t do. Patrick replied that he had said things to the police that he and the they knew were not true because he was deliberately trying to get them to start a prosecution for criminal harassment. Patrick further stated he doesn’t see how that is much different from the police making false statements to him, in order to build a false rapport, so he would say things they can use against him. Patrick said “If it’s okay for them to lie and manipulate me then it should be okay for me to do it back to them” (**TR-25 p15140 – p1618**).

The fact that the police, the prosecutors, and the judges all accepted Patrick’s admissions without any investigation into them, even though it would have been impossible for the admissions to be true, proves that the police don’t care about the truth – their investigations are strictly to find evidence to support a conviction and to ignore and suppress everything exculpatory; the prosecutors don’t care about innocence or guilt – their interest is only in getting a conviction at any cost; and the judges are only interested in maintaining the APPEARANCE of fairness and justice. This has all been done deliberately, on Patrick’s part, over the past few years, to prove this point.

*...Mr. Fox apparently instructed Ms. Munoz not to tell him anything about the website until his probation period was complete, so that he would not have to take it down.*

Paragraph 13

The judge is ignoring that Patrick also told Munoz not to tell him anything about WHO put the website online (and by implication, who actually has admin access/control over it).

And, the judge’s statement “...so he would not have to take it down” is false. Patrick never said that. He said so “I can’t be compelled (i.e. forced) to say who it is that’s running it.” There is a huge difference between saying “would not have to” and “could not be forced to”. Also, Patrick’s statement was pertaining to who’s running the site, NOT to taking it down.

*He was also able to say that there had been updates to the website in the last year and a half, which means that he must have been accessing it during that time.*

Paragraph 14

However, Patrick was able to see that there had been updates because those updates were publicly accessible. Everyone in the world had such access. It did not mean Patrick had administrative access.

The judge misconstrued the significance of Patrick's statement about there being updates over the past year and a half. His point was that the updates were made while he was in custody and didn't have access to the internet, so he could not have been involved with those updates. In other words, that proves that someone else is making the updates (TR-25 p4146 – p513). Patrick even clearly stated "... while I've been in custody so, clearly, somebody is doing something with the site."

*Mr. Fox claimed he told Cst. Dent in 2020 and Cst. Tanino in 2021 that he transferred ownership and control of the website because it was 'simpler' than telling them that Ms. Munoz launched the new website of her own volition. That explanation is not compelling. [16] It is in no way simpler to say that he transferred ownership and control. It is, however, more incriminating, which Mr. Fox obviously realized before testifying in court.*

Paragraphs 15-16

The judge is ignoring the much more significant reasons Patrick gave for why he provided that explanation to the police, namely "...I was very actively seeking to convince the BCPS to prosecute me for criminal harassment based on the new website. And in fact, even to this day, I would still do everything that I can to try to convince the BCPS to prosecute me for criminal harassment based on this new website" (TR-25 p1319-15). And, "...that if I had said in the letter [to Fontana] that my friend had arranged for the website to be put back online with no involvement or...not in response to a request from me, that would mean I would have nothing to do with the website and, therefore, cannot be prosecuted for criminal harassment based on it" (TR-25 p1518-15).

If the police already have a belief about something then making a statement or "admission" which is consistent with that belief will, generally, be accepted by them without further inquiry or investigation. Whereas, if Patrick had made a statement contrary to their belief they would have continued to interrogate him on it until he said something to discredit the statement, or they would simply not believe it and refuse to pursue or accept any evidence which would support the statement – which is exactly what happened in this case, with the email Patrick sent to editor@desicapuano.com (the police didn't believe Patrick sent the email, and if he did it would have been exculpatory, so the police made no real attempt to verify it). So, in that respect, it IS easier to say what the police, prosecutors, and judges already believe than to say the truth when the truth is contrary to what they believe. Consider these Reasons for Judgment – how frequently the judge completely ignored or claimed to not believe any of Patrick's statements which were not consistent with the guilty verdict she wanted to impose – yet she accepts and completely believes, without a second thought, any of his statements which ARE consistent with a guilty verdict, even though those statements could not, possibly, be true.

It is no more or less incriminating to say Patrick put the website online then transferred control to a another party; or to say he never had control in the first place; because the events in question occurred before any of the probation orders came into effect. Whether one thing occurred or the other, Patrick

wasn't on probation at the time and so whether he put the website up then transferred it, or whether someone else put it up and Patrick never actually had control of it, either way he couldn't have possibly breached probation because he wasn't on probation.

The main reason for the differences in Patrick's statements to the police and his statements on the witness stand is that his statements to the police were not under oath, he was under no obligation to tell them the truth, to be precise, or to be completely forthright; whereas, on the witness stand he was being very careful to be as precise, accurate, thorough, and complete as possible. This is evidenced from a number of his responses, for example, about him and Capuano never having been legally married because they had an annulment not a divorce.

*It is simply absurd to suggest that Ms. Munoz, who is not in regular contact with Mr. Fox, would pay for a website that is entirely related to Mr. Fox's harassment of Ms. Capuano and Mr. Fox's criticisms of his legal processes.*

Paragraph 18

This is a patently incorrect inference on the part of the judge. There is nothing in the record to support it. First, the cost of keeping the website online is about \$17 per month. That is so negligible it barely warrants consideration. This fact did not come up in the trial. Neither the judge nor Crown inquired.

Second, Ms. Munoz filled the maternal role in Gabriel's life for much of his childhood. Ms. Munoz was devastated when Capuano showed up out of the blue, took Gabriel away to Arizona, took very deliberate steps to have Patrick deported to Canada, then immediately and completely Ms. Munoz out of Gabriel's life. None of this was discussed at the trial either. If the judge had doubts about the plausibility of Patrick's testimony about Ms. Munoz's willingness to put any resources into keeping the website online she should have given him the opportunity to explain, rather than drawing false inferences.

Third, the time and effort required to maintain a website like desicapuano.com is, literally, almost completely nil. The website can go months without ANY intervention at all.

Fourth, it was never stated or implied at the trial, that Ms. Munoz had any ongoing involvement in the website beyond putting it back online in 2018. This is an inference that the judge is making but it's based on absolutely nothing at all.

Fifth, the website is not based on Patrick's harassment of Capuano. It's based on exposing all the bad conduct Capuano has engaged in over her life – such as abducting Gabriel and stealing him away from all the people he considered family, like Ms. Munoz. If the website constituted harassment then then BCPS, or police, or Capuano herself would be able to obtain a US injunction to compel the hosting provider to take it down.

Sixth, regarding the judge's reference to "Mr. Fox's criticisms of his legal processes", there is, in fact, copious physical evidence on this website which supports and even clearly proves all of his claims of corruption and misconduct that has been occurring in his cases. And not one person in the BCPS or the Ministry of Attorney General or the Ministry of Justice has denied any of Patrick's claims. This is relevant because it is due to that corruption and misconduct that Patrick has been repeatedly prosecuted, imprisoned for the past six years, and thereby cut off from his son and repeatedly and consistently defamed in the Canadian news media.

Seventh, this statement by the judge contradicts her later statement in paragraph 25, that Patrick could have contacted Munoz and asked her to take down the site, or provided her information to the police. If the judge believes it is simply absurd to suggest Munoz was keeping the site online, then why does she later claim one of the things Patrick could have done to cause the website to be no longer available is to contact Munoz? Either the judge is full of shit here or she's full of shit in paragraph 25.

*His apparent purpose was to force Ms. Capuano to testify and for him to be able to cross-examine her on what he claimed were her lies in a previous trial before Justice Holmes.*

Paragraph 18

The judge is, again, cherry picking only the parts from Patrick's testimony and explanations which will appear to support the Crown's case while ignoring everything else. The Crown was trying to get Patrick to admit that the purpose of Patrick's letter to Det. Fontana was to try to instigate another criminal harassment prosecution so he could cross-examine Capuano. However, Patrick had stated "...the important point though is that if I were to be prosecuted for criminal harassment again, based on the current or new website, that would necessarily bring up or draw attention to all of the corruption and misconduct and the perjury that occurred at the first trial and that would be the objective of that" (TR-25 p14119-25).

In Johnson's direct-examination of Det. Tanino, he asked her if Patrick made any statements about his goal of bringing the justice system into disrepute. Tanino read from the transcript of the interview where Patrick explained his plan and intention of bringing the justice system into disrepute and exposing the corruption in the justice system by either forcing a new criminal harassment prosecution or by the Crown's persistent refusal to pursue a new criminal harassment prosecution (TR-23 p16135 – p18110).

Given the preceding two sections, it is unfathomable that the judge would think Patrick's goal of being prosecuted for criminal harassment would be, primarily, to cross-examine Capuano. That would only be a means to the end of exposing the corruption and bringing the system into disrepute.

*In that letter, Mr. Fox was making a clear admission that he launched, owned and controlled the website [www.desicapuano.com](http://www.desicapuano.com).*

Paragraph 20

However, it is indisputable that Patrick was in custody at FRCC at the time, which means he did not have access to the internet or to the material for the website. It would, literally, have been impossible for him to launch or have any access to the website, and more importantly, to the hosting account. Patrick's admissions to the police were indisputably and irrefutable false.

During sentencing submissions, the judge revealed that she had believed Patrick, and inmates in general, have access to the internet from within BC Corrections facilities (TR-25 p45144 – p46143). This is a major, major issue because it means during Patrick's testimony and while preparing her Reasons for Judgment the judge believed Patrick had access to the internet, including the ability to publish and maintain the website and to forward the [editor@desicapuano.com](mailto:editor@desicapuano.com) email at any point. The moment the judge realized Patrick, in fact, did not have access to the internet she should have either vacated the verdict and reconsidered it, or declared a mistrial.

I don't really believe the judge thought Patrick had access to the internet, though, because that was referred to repeatedly throughout the trial, including during his cross-examination of Det. Tanino (TR-23 p2911-38). I believe the judge just used that as an excuse to justify her otherwise outrageous verdict. Either that, or she wasn't even paying attention during critical parts of the trial.

*First he argued that there is no evidence that he owns or has control over the website. As noted Mr. Fox admitted to Cst. Fontana, in a letter dated June 6, 2019 that he published the new website and engaged in criminal harassment.*

Paragraph 21

As stated above, the fact that Patrick was in custody at FRCC at the time the new website went online indisputably proves he could not have done it.

And, Patrick most certainly DID NOT admit to engaging in criminal harassment. What he said was that if such conduct constituted criminal harassment at the time of the criminal harassment trial then it must constitute criminal harassment now. The implication being that the Crown's adamant refusal to prosecute him for criminal harassment based on the current website proves that it does NOT constitute criminal harassment.

*...Mr. Fox told both Cst. Tanino and Cst. Dent that he would take the website back when his probation ended, indicating he has retained control over the website.*

Paragraph 21

It indicates nothing of the sort. Once Patrick takes it back, then he will have control over it, but until that time he does not. If you relinquish ownership and control of something to another party with the understanding that at some point in the future, when certain requirements are met, they may give it back to you, then until that time comes it is no longer yours. For example, if I give somebody my jacket with the understanding that if the day ever comes they no longer want it they'll offer it to me before they offer it to someone else, well then it's no longer my jacket. It now belongs to that other person. And he may, or may not give it back to me at some point in the future. But I can't, legally, take it back from him without his consent – it's no longer my property. Just because I may believe he will give it back to me at some future time does not make it mine, nor does it give me any control over the jacket. And, in the meantime, that third-party is entitled to do as he pleases with the jacket. Same fucking idea, jackasses!

*Mr. Fox also argues that the Crown has not proven that the website was not taken down by him within 48 hours of his release and then reposted by someone else. That argument fails because, as already discussed, Mr. Fox retained control over the website and could have taken back the management of it at any time.*

Paragraph 22

The judge repeatedly claims Patrick retained control of the website but she has not cited any evidence to support that. The letter to Fontana was written in 2019, even if Patrick's admission were true at that time it doesn't mean he still controls the site two years later.

*To begin with, I do not believe that Mr. Fox sent an email to the editor of the website. Mr. Fox refused to produce the email to the police when asked and also failed to offer to produce the email when his laptop was available in court during the trial.*

Paragraph 23

However, the police did not give Patrick the option of providing them access to the email. They only gave him the option of providing them the passwords to his phone and laptop, which would have given them full access to all of his data.

Patrick's reasons for not relying on the laptop in the trial are stated above.

*Even if I were to believe that Mr. Fox only told the police he launched the website so he would be charged with harassment, which I do not accept, Mr. Fox clearly maintained control over the website.*

Paragraph 25

Again, the judge is insisting Patrick "clearly maintained control over the website" but again, there was absolutely no evidence to support that! Dent clearly testified he had no knowledge of whether Patrick had any ownership, control over, or involvement in the website.

*Therefore, he could have contacted Ms. Munoz to regain control of it upon his release from custody and ensured it was no longer available.*

Paragraph 25

What would Munoz have to do with anything? She just made the arrangements for it to be put back online three years ago. She had no further involvement beyond that. There was no indication provided in the trial that Munoz's involvement went beyond arranging to put the site online in 2018.

See also, the point starting "Seventh...", regarding the judge claim in paragraph 18 the it is " simply absurd".

*If he was not successful in persuading Ms. Munoz to take down the website, he could have provided her name and contact information to the police so the police could have made a request to Ms. Munoz. He did not do so, either because he actually owns the website, not Ms. Munoz, or because he did not want the website to be taken down.*

Paragraph 26

Again, the judge is misguided. Patrick never said Munoz has anything at all to do with the website. There would be no reason for Patrick to contact her about it. Likewise, there would be no reason for Patrick to give her information to the police. Moreover, she's a US citizen who is not in Canada and has no connection to Canada – the Canadian police and courts mean absolutely nothing to her and they have no authority or jurisdiction over her.

As for Patrick not wanting the website to be taken down, that is absolutely correct, but that doesn't mean he failed to comply with the condition.

*...Mr. Fox argues that he was not obligated to do anything with the website after 48 hours after his release from custody...*

Paragraph 27

That is absolutely false! Patrick said nothing if the sort. Is Judge Denhoff a compulsive liar or simply delusional?

*The term 'no longer available' has the ordinary meaning of being available in the past but not continuing to be available.*

Paragraph 28

But the judge is mistaken, "no longer available" DOES mean that the thing was previously available then transitioned to cease to be available – but it DOES NOT require that the thing REMAIN ANY duration of time. The probation condition explicitly DOES NOT state that once the website was made no longer available it must remain as such for the duration of the order. It only stated that Patrick must cause it to change from being available to being no longer available. The probation order do not state for how long, or how often, Patrick must engage in the act of "taking all necessary steps...". Therefore, executing it one time would fulfill the requirement.

*Mr. Fox had control of the website [www.desicapuano.com](http://www.desicapuano.com) within 48 hours of his release and continuing past that time, as he repeatedly boasted to the police.*

Paragraph 29

That is patently false! Patrick never boasted or even stated he had ANY involvement with the website subsequent to his probation orders coming into effect on 2018-12-30.

So, as you can see, Denhoff consistently ignored evidence which was in Patrick's favor; claimed Patrick said things he did not say; supposedly made incorrect or false inferences based on things Patrick and the witnesses said – and, at times, even made completely unfounded inferences based on absolutely nothing at all; steadfastly refused to accept the clear, irrefutable proof that Det. Kyle Dent had a history of lying on the witness stand and deliberately misleading the court; ignored the fact the Crown Counsel Chris Johnson had a clear history of lying to and misleading the court; and repeatedly insisted it was clear that Patrick maintained control of the website even though there was absolutely no evidence to support that and the evidence that WAS presented proved that Patrick couldn't have possibly had any involvement with the website – it would, literally, have been a physical impossibility!

So this is your justice system, residents of BC and citizens of Canada. Please stop criticizing China, Russia, and Saudi Arabia for their so called injustices and human rights violations, because you're doing the exact same shit right here.

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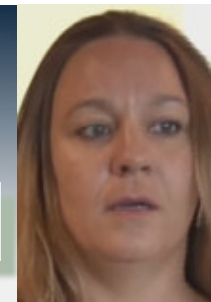
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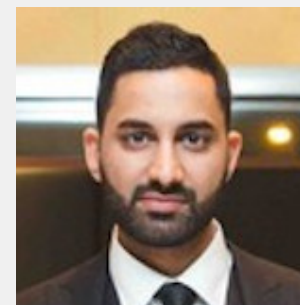
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Mar 29, 2022 | 11:50 am PDT

On 2019-08-13, in the trial of Patrick Fox, in the matter of **244069-5-bc**, Patrick's Probation Officer Abeed Bhimji was called as a witness for the Crown.

On direct-examination, Crown Counsel Bernie Wolfe asked Bhimji whether, when Patrick reported to him on 2019-03-15 Patrick had told him what had happened in the court day before. Bhimji said Patrick did not. Wolfe also asked Bhimji whether, when Patrick reported to him on 2019-03-15, Patrick had informed Bhimji of his intention to turn himself in to CBSA for the purpose of being removed from Canada. Bhimji said he did not.



Abeed Bhimji

At the end of Crown's direct-examination of Bhimji, Patrick informed the court he had some documents he wanted to review with Bhimji during his cross-examination but that he didn't have copies (Patrick had no way of obtaining photocopies while in jail). Patrick requested the court's or the Crown's assistance in making copies so all parties could follow along during the cross. Wolfe agreed to make the copies. Neither Wolfe nor Bhimji realized prior to that point that Patrick had these documents.

The documents Patrick had, which he had not informed the Crown of, was a copy of what's called his "Client Log" (or "CLog") from BC Community Corrections (the probation department). The CLog contains all the notes and comments the probation officers make regarding the person on probation.

When Wolfe returned with the copies, Patrick began his cross-examination of Bhimji. Patrick asked Bhimji if he was familiar with the CLog report Patrick handed him. He said he was. Patrick asked him if he recalled testifying on direct that Patrick had not informed him on 2019-03-15 of what had happened in court the previous day. He recalled saying that. Patrick drew Bhimji's attention to 14 of the CLog

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report and asked Bhimji if he had written that comment. He had. Patrick read the relevant portion of the clog entry, where he documented Patrick telling him that on the day before Patrick had a hearing to modify his probation conditions but that the application had been denied. Patrick asked Bhimji: Doesn't that completely contradict what you had testified to on direct? Bhimji begrudgingly agreed it did. ([Transcript p7812-34](#))

Patrick then turned his attention to the next perjurious statement. He asked Bhimji if he recalled testifying on direct about whether Patrick had inform him of Patrick's intention to turn himself in to CBSA for the purpose of being removed from Canada. Bhimji did recall saying that. Patrick turned Bhimji to the entry Bhimji had made regarding Patrick's interaction with him on 2019-03-15, in the CLog report. The entry stated Patrick had informed Bhimji of his intention to turn himself in to CBSA for the purpose of being removed from Canada. Patrick asked Bhimji whether that, also, contradicted what he had testified on direct. Again, Bhimji begrudgingly to agree it did, in fact, prove that what he had said on direct-examination, under oath, was false. ([Transcript p78135 – p7917](#))

Had Patrick not obtained fly of his Client Log prior to the trial, then Bhimji's pernicious testimony would have went unchecked. He would have gotten away with it completely. As it is, even though Patrick proved in court that this lying, sleazy, bastard had just committed perjury, this supposedly trustworthy and credible member of the justice system, had just committed an indictable offense that carries a maximum penalty of 14 years in prison (in Canada), absolutely NOTHING happened to him – not even a quick stink-eye from the judge! He went right back to being a probation officer and lying and abusing his authority. But at least now, anyone who cares enough to Google his name will find this page.

Hooray for the internet and for the knowledge to create such a wonderfully informative website as this.

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IN THE PROVINCIAL COURT OF BRITISH COLUMBIA

REGINA

v.

Patrick Henry Fox

ADMISSIONS OF FACT

The Attorney General of British Columbia, by his counsel Elliot Poll hereby admits the following facts for the purpose of dispensing with the proof thereof at the trial herein:

1. Crown and police made the following unsuccessful attempts to browse the website desicapuano.com:
  - (a) On May 3, 2002 an effort was made to access the website but it was found to be password protected and could not be accessed.
  - (b) On May 15, 2002 at approximately 2:45 pm, an effort was made to access the website but it was not available.
  - (c) On October 12<sup>th</sup>, 17<sup>th</sup> and 19, 2022 efforts were made to access the website and it was not available.

**DATED** this 11<sup>th</sup> day of January, 2023, at the City of Vancouver, Province of British Columbia.



Ryan Elias, signing for  
Elliot Poll, Crown Counsel