

C.L.E.A.R.



Common Law Education and Rights

“It Ain’t Over”

Freedom activists are critical thinkers!

Our society is so dumbed down and indoctrinated that anyone who is a critical thinker is labeled as a Conspiracy Theorist

Did you know: The term ‘conspiracy theorist’ was first coined and used by the CIA to ridicule anyone who opposed the gov’t narrative?

Resistance Is Not Futile!

Kelowna Courts

Falsified assault charge

Kelowna Courthouse

R v David Lindsay s. 266 Criminal Code Assault

**Next Provincial Court Hearing Date: July 25, 2024 –
Sentencing Hearing, Con’t**

Thank you!!!

Hundreds of people all over Canada were praying for a successful outcome on Friday and that incarceration would not be the result.

Though the sentencing hearing was not completed and remains ongoing, thank you God who was listening to all our prayers and I remain free – as I should be.

And thank you so much to almost 100 people who packed the courtroom this past Friday. This is the support we need in all courtrooms. I was so humbled and thankful to everyone. I wish I had had the time to chat to and thank everyone there personally. But my gratitude goes out to each and every one of you for all your kind support, as to those everywhere who were unable to make it and provided support in the background, and whose prayers reached God.

And a special thank you to my close friends here who kindly prepared character reference letters to provide to the Judge.

Remember the **Freedom Principle**:

An attack against one is an attack against all.
An attack against all, is an attack against one.

It is a sad fact that this case has taken up so much of my time and resources, as to leave little for real freedom work in the past year. But, that is exactly what **Crown Persecutor David Grabavac** and the Government have wanted.

Crown Persecutor, David Grabavac spent most of his time attacking me personally, those in attendance, and the protestors at Interior Health on Aug. 19, 2021. Everyone believing in freedom was attacked in some way.

At one point, while arguing that there must be jail because I haven't learned any lessons yet, he commented that at my age, "*You can't teach a dog new tricks*", implying derogatory comments toward me. My response of "*arf arf*" on the record did not seem to phase him, likely because he failed to understand what I meant in doggie language.

Grabavac did admit that the offences (I have to remember, that though I maintain my innocence, a finding of guilt was entered), were minor. But that was not his concern. He compared our lawful and peaceful protest to the Vancouver Stanley Cup riots, if you can believe that.

He spent considerable time talking about how protests get out of control, that I could not control the people there, and the importance of deterring others from not complying with orders from the State.

Grabavac alleged that I put the security guard's health in grave danger by not wearing a mask when they blocked my entrance, claiming I could not know if I was infected with COVID at this time. This despite, in the Aug. 11 video, showing that none of the three receptionists were wearing masks either! At no time were they wearing masks, and there were still clients who came into the building not wearing masks too.

And if they were masked and vaxxed, how could I have put their health in danger?

As with the trial, **Grabavac** repeatedly emphasized the importance of the fact that there were three police officers present at the time, and I was told by the police as well as IH security manager Greg Smith that I was banned for a month. **Grabavac** claimed that these were serious aggravating factors, that I am challenging authority and if I am allowed to go without jail, others will follow.

On Aug. 11 Greg Smith told the police I was banned for a month for causing a disturbance.

All **Grabavac's** submissions related to the fact that I was suspended from entry for a month for causing a disturbance. However, I finally was able to play the Aug. 11 video from Leo into the record. This 2:00 min video proves that I did not cause any disturbance at all. Here is the link to this video on Rumble – thank you Tanya!!

<https://rumble.com/v4m6e3f-freedom-of-expression-equals-prison-with-tanya-gaw-and-david-lindsay.html>

42:35 – 44:27

In addition, it shows Smith violently grabbing Leo and assaulting him by physically turning him around and pushing him out of the building. I finally got the judge's attention that Smith's banning of me was done without lawful authority. Smith admits he is bound by the Charter. He is also bound by the *Criminal Code*.

Grabavac actually made the accusation that I had Leo recording this incident on Aug. 19, to document my challenge to authority. We have recorded all protests, gatherings and meetings for almost three years, for our protection exactly in this matter, catching Smith lying. If not for Bruce and Leo and their incredible video work, we would not have the legal proof we needed in court. This is a legitimate basis for recordings.

Smith not only did not have the power to ban me, he immediately went to the police and lied about it, falsely claiming I committed a criminal offence of causing a disturbance. The BC Court of Appeal has recognized that falsifying complaints or charges about someone is an extremely serious matter. (*R v Little*)

Other issues I raised that caught Judge Heinrich's attention were case law showing that Constitutionally, she must give judgment in mercy, and the Crown's attempt to 'throw the book at me' could not be done by her both

in the context of the facts, and that the Coronation Oath applied to her duties to give judgment in mercy.

Further, I have said from the beginning Judge Heinrichs is biased against me. Everyone in court saw this first hand. For example, while telling me I had to be quiet and could not interrupt the Crown speaking with any objections, she permitted the Crown to do this to me immediately when I started my presentation. To say nothing of her rude facial expressions towards me throughout the day.

I brought to Judge Heinrich's attention the issue of how was I going to get a fair and impartial hearing before a judge who wore masks, got vaccinated, and ruled that a dad could not talk to his 11 year old son about the dangers of the COVID-19 vaccines and the mother had the right to get the boy vaccinated. And here I am, protesting mask and vaccines issue before a judge who strongly believes in the gov't agenda and narrative. This caused her to give me a look in surprise and worry. This will support my appeal on bias as well.

Not much happening until the next hearing date, except the **Crown Persecutor, David Grabavac**, wants two years in jail, three years of probation, a firearms weapons ban, and a DNA sample. Unbelievable. From those who have seen the video, this is nothing more than political harassment and intimidation by **Mr. Grabavac** who is abusing his powers, acting in bad faith, and should be removed from the office of a Crown Prosecutor immediately.

Next Supreme Court Hearing Date:

April 22, 2024 --- 9:45 a.m.

Notice of Conviction Appeal Hearing

In the B.C. Supreme Court Jan. 29, 2024, I appeared before Justice

Weatherill. I was ordered to file my Constitutional Challenge to the payment of transcripts fees, the RCMP and my *Jordan* (delay) appeal, by April 5, 2024 and then serve the A.G. of Canada and B.C. Next hearing date of April 22, 2024 is simply to see how to proceed with the appeal after that.

City of Kelowna v David Lindsay et al
Petition to Stop Rallies

Next hearing date - The week of June 17, 2024

for hearing on my SLAPP (Strategic Lawsuit Against Public Participation) application to strike the City's Petition against us. (See the B.C. *Protection of Public Participation Act*)

<https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/19003>

The schedulers will call us on the Friday before this week to confirm the exact dates at which time we will let everyone know as well.

Our documents in this case are located on our website at:

<https://clearbc.org/david/>

All City of Kelowna documents and pleadings are now placed on our website for public viewing: <https://clearbc.org/city-of-kelowna/>

Resistance Is Not Futile!

Empower Hour

Every Wednesday **Action4Canada** hosts the **Empower Hour**, an online zoom meeting open to everyone. We have a special guest each week, who will educate, inform and answer your burning questions. **Also, watch the [Weekly Updates HERE](#).**

To be kept informed of these webinars [sign up for our Email Updates](#) so as to receive advance notification along with details on how to pre-register for each Empower Hour webinar. Scroll down the page to view past Empower Hours or listen via Podbean.



April 17, 2024

Sign on starts at: 4.30pm PST/7.30pm EST

[Pre-Register Now](#) for this Webinar

Join us! Share this page and link with your friends and social media!



The Awakening – Upcoming Release

Hello beautiful freedom community!

We are excited to announce the launch of “The Awakening Film Tour”. Starting this April, a series of movies will grace the screens of our local theatres across the province. It's time for alternative media to step into the spotlight, igniting awareness like wildfire. This opportunity not only amplifies the importance of these films but also provides us with greater credibility when discussing them with our friends and family.

The inaugural film screening of this tour is Mikki Willis’s award-winning film ‘The Great Awakening’ scheduled for the following locations:

Wednesday, April 16, 7:00pm, Salmar Classic Theatre, Salmon Arm, BC

Saturday, April 20, 10:00am, Galaxy Cinemas, Vernon, BC

Saturday, April 20, 9:30am, Landmark Cinemas Grand 10, Kelowna, BC

Saturday, April 20, 9:30am, Landmark Cinemas, Penticton, BC

Saturday, April 20, 10:00am, Famous Players 6 Cinemas, Prince George, BC

Saturday, April 20, 10:00am, Cineplex Odeon Cinemas, Abbotsford, BC

Saturday, April 20, 10:00am, Cineplex Odeon Cinemas, Victoria, BC

Saturday, April 20, 9:30am, Landmark Cinemas, Campbell River, BC

Tickets can be purchased online at <https://freedomnetwork.club/shop/> It is important to purchase your tickets as soon as possible as we need to

get a minimum number of tickets sold at each location to avoid having to cancel events.

While still in its infancy, this endeavor aims to bring forth numerous films unveiling hidden truths and presenting solutions to heal our beautiful yet fractured world. Organizing and delivering will be no small feat, and we earnestly seek everyone's support. The easiest way to help is to share this exciting news with everyone but attending a screening local will have a big impact!

We are also in need of people to help promote, pre-sell tickets and check tickets at the door. Please email info@freedomnetwork.ca if you are interested in helping.

Best regards,

Gary Woitzik
FreedomNetwork
FreedomNetwork.Club
Vernon, BC, Canada
Cell +1-250-550-5460

chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.jccf.ca/wp-content/uploads/2023/04/Digital-ID-Surveillance-and-the-Value-of-Privacy_Justice-Centre-for-Constitutional-Freedoms.pdf

**Please join us this coming Saturday for our Hwy rally at
Hwy 97 & Cooper**

All donations will go to Druthers

C.L.E.A.R. FREEDOM Rally!



*Resistance Is **Not** Futile!*

Hwy 97 & Cooper 12 PM Saturday, April 20, 2024
KELOWNA



All donations are for Druthers!

DRUTHERS
 COVERING NEWS & INFORMATION THAT MOST PEOPLE DON'T WANT TO HEAR BUT CAN'T IGNORE
 ISSUE • LOVE • PROGRESS
 Issue #111 | April 2024
FREE

Trudeau Demands Life In Prison For "Speech Crimes"

By Stephen Hester, public relations
 The Liberal government's demand that a man be sentenced to life in prison for his speech is a clear violation of the Charter of Rights and Freedoms. The man in question is a member of the Freedom of Information Act (FOIA) and has been a vocal critic of the government's actions. The government's demand is a clear violation of the Charter of Rights and Freedoms, which guarantees the right to freedom of expression. The government's demand is a clear violation of the Charter of Rights and Freedoms, which guarantees the right to freedom of expression. The government's demand is a clear violation of the Charter of Rights and Freedoms, which guarantees the right to freedom of expression.

CRUISING IT

Let's not forget, the "Freedom of Information Act" is a key piece of legislation that has allowed citizens to access government records. The government's demand is a clear violation of the Charter of Rights and Freedoms, which guarantees the right to freedom of expression. The government's demand is a clear violation of the Charter of Rights and Freedoms, which guarantees the right to freedom of expression. The government's demand is a clear violation of the Charter of Rights and Freedoms, which guarantees the right to freedom of expression.

Advertisement

Bring the non-believers! - Because It Ain't Over!

C.L.E.A.R.



Common Law Education and Rights

ACTION 4 CANADA

FREEDOM RISING

STAND UP STAND FREE



VACCINE CHOICE CANADA

VaccineChoiceCanada.com

Our Right Our Choice Our Future

THE RESISTANCE



Canada Strong When enough is enough.



Sunday Paper Deliveries

Next delivery day:

April 21, 2024

(Weather Permitting)

Add your name to the delivery list and make sure to check your email on Sunday mornings for confirmation that our paper delivery will take place that day

Make sure you arrive before the designated time so we can all get going ASAP!

Every Sunday at 11:30 am

April 21, 2024

- Sign-up on the Newspaper Delivery list so that you get an email confirming the deliveries for each Sunday. With winter in mind, we will only do this if roads are bare and it's not snowing. The advantage of delivering this time of year is that nobody is hanging out in their front yards except for the odd snowman.
- We meet at the Capri parking lot between A&W and De Dutch Pannekoek House
 - Bring a large bag for carrying the papers if you want

- Grab a free small Kelowna mapbook that can help you get situated. Your cell phone will be tracking and tracing you. Learn how to read maps again
- You will be provided with a printed google map of the area you will be delivering to. Bring a yellow marker to indicate which streets you completed. You may run out of papers or you may end up with extra
- We ask that with every paper you deliver, you remove the inserts and place them in the mailbox in front or behind the paper. That way, someone who may hastily throw out the paper will still be forced to see each individual flyer
- Please deliver only one paper per mailbox, regardless if you have different papers (we usually have a combination of different papers and editions). Some houses may have up to 4 mailboxes; put one paper in each as they are for different tenants

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- **Sign up as a Volunteer to participate in one of the many focus groups we are working to organize. Most people are too busy to commit to fighting for freedom. I guarantee you will have plenty of extra time after Canada becomes a full-fledged communist country and your jobs & businesses are gone. Time to add freedom-fighting to your list of priorities. Much of the help needed can be done at home and even one hour per**

week will be helpful. Even if you don't want to join a specific group, maybe you have something you can offer to help out.
Let us know!

- Contact Linda at CLEAR.Linda@proton.me

3 Simple Things Freedom Activists can do to WIN this War:

1. Spread the Word by delivering papers and flyers everywhere:
Knowledge is power!



2. Replace your cell phone with a flip phone:

Think of your apps as TRAPS!



3. Use CASH:

Hand out the “Use cash cards” and “pay cash” business posters



A bit about David

Lest you be beguiled by the falsehoods, lies and deception emanating from the media moguls, persecutors and judges about me, here are some points I wish to bring to your attention to rebut these falsehoods about me. I will do this over the course of a few newsletters. Consider this as a form of Freedom Fact Checker – save for the fact that I am more reliable than the misleading fact checkers you see online, which are designed to debunk freedom, helpful foods and vitamins etc.

False claim: I am a vexatious litigant.

I am not a vexatious litigant, contrary to the decision of J. Beames. Let me explain. Bryant Mackie for the A.G. of B.C. applied to have me declared vexatious 19 or so years ago. Some of the cases he relied upon were up to six years old at that time.

I was assisting a friend in court in Ontario and was required to be there when this date was set for hearing. I had a friend show up to get it adjourned and J. Beames ignored him and proceeded to hear the application in my absence. Yup, I didn't even get to appear. He provided a bunch of case law – all involving myself and the Crown. No private parties were involved.

This application was done pursuant to s. 18 of the *BC Supreme Court Act*, reproduced for you below.

Vexatious proceedings

18 If, on application by any person, the court is satisfied that a person has habitually, persistently and without reasonable grounds, instituted vexatious legal proceedings in the Supreme Court or in the Provincial Court against the same or different persons, the court may, after hearing that person or giving the person an opportunity to be heard, order that a legal proceeding must not, without leave of the court, be instituted by that person in any court.

The implications of such a finding are enormous. Besides the stigma attached to such a finding, no legal actions can be instituted in the courts without “*leave*” (permission) of a judge of the Supreme Court. This can tip off people to your actions in advance and have other repercussions.

There are several essential elements that must be met, before a judge can declare someone vexatious:

1. *“the court must be satisfied”*:

This means that Mackie was obligated to prove in fact and in law, of the requirements that follow. The judge must be satisfied means that there must be evidence on the record (affidavits), and Mackie was required to prove the law permits this to be done. There was no evidence as you will see below, and thus s. 18 did not/could not apply.

2. A person (without getting into legal details here on what a *“person”* is at law), has *“habitually, persistently and without reasonable grounds”*:

This in the past tense. It means that the actions complained of must have not only happened, ie: not just once, but that a person has done this *“habitually, persistently and without reasonable grounds”*. The use of the conjunctive *“and”* means that there must be evidence on the court record to support all three tests.

3. *Instituted vexatious legal proceedings*:

A vexatious legal proceeding is a legal finding by a judge that the proceeding a person has instituted was to harass someone or some other improper or abusive purpose. There are several criteria that can result in a legal proceeding being declared vexatious, but simply because one of these criteria exist, does not unto itself, make the proceeding vexatious. It is a finding of mixed fact and application of the law to these facts. The fact means that there must be some evidence that a person has had a proceeding declared by a judge to be vexatious in the past and as noted above, not just one proceeding, but many.

4. *In the Supreme Court or Provincial Court*:

These proceedings can only be in one of these two courts. Tribunal or adjudicative hearings or the Court of Appeal do not apply.

S. 18 further only applies to civil matters, as it cannot be used to deny to you your Constitutional right to full answer and defence and change

that into a privilege requiring a judge's approval. Despite this, the A.G. has been telling court staff not to accept private criminal charges from me without getting permission from a judge first. I have finally managed to get the registry staff to admit that this is not true.

5. *Against the same or different persons:*

This is usually a given, as all proceedings are instituted against someone. Mackie lied to the judge. He brought up some case law where the judge has some intemperate comments about me (while ignoring some excellent comments other judges have made of course).

But, here it is, I have never had any proceeding instituted by me to be declared to be vexatious, ever! So how did the Mackie get this order?

He lied to the Court. He told the judge that the cases he was providing, met the test for being vexatious. However, once a ruling is entered, it cannot be changed except on appeal. J. Beames is what is known in law as being "*functus*", meaning her power is spent and she cannot make any changes to past judgments. Nor even can the judge who wrote the decision! If there are no previous judges declaring a proceeding by me to be vexatious, (and there are none), then she cannot substitute her views for the ruling judge who did not make this determination.

Yet that is what J. Beames did. Mackie lied and told her the cases amounted to being vexatious, and J. Beames simply believed him and refused to do the legal research necessary to interpret this section of the law.

It is worth reminding people, that everyone has a Constitutional right to access the courts for legal redress. Taking this Constitutional right away should not be done lightly, which is why this test is so high and stringent. It does not allow a judge to re-interpret another past judge's decision that did not find me vexatious, and now suddenly declare that it is. Only an appeal court can do that, and the Crown never appealed to obtain such an appeal judgment.

But the statutory requirements were not met.

I wish to now repeat – the s. 18 test was never met. I have never had any

proceedings declared by a judge to be vexatious. Which is more than I can say for a lot of lawyers.

In law, a decision given without jurisdiction is void. Because the conditions precedent were not met (ie: there were no such decisions and certainly nothing to show that I had done so, habitually, persistently and without reasonable grounds), J. Beames had no power to issue her vexatious order against me. It remains void *ab initio* (from the beginning). It is as if it was never made.

But these corrupt prosecutors (and media) keep relying upon this.

I did file an appeal but guess what....this was the only ground for appeal (out of six) that the Court of Appeal failed to rule upon. By law, Courts are required to rule upon matters legally before them...and my appeal was. I tried for months to be re-heard, then years without success. Then finally after four years the Court agreed to hear me and then dismissed my appeal, again without ruling on this full and complete answer to the AG application, claiming it had taken too long! But it was their fault because they wouldn't hear me when I first applied. Everyone is entitled to justice in the court of first instance and I was denied this. What the Court of Appeal did say however, is to confirm my position that s. 18 does not apply in criminal proceedings (which includes traffic tickets etc.)

Conclusion: The J. Beames order had/has no legal merit nor standing. It has been used for years to besmirch my excellent legal abilities and success I have still managed to obtain over the years, including by your corrupt, socialist media moguls like Castanet (BC's answer to the National Inquirer.)

PS. The AG for years told the Provincial Court registry staff not to accept any criminal Informations from me because of this order. The brain-dead manager at the Penticton courthouse, simply took her orders from the Crown Persecutor. Yet, as noted above, this order only applies to civil matters. Fortunately, the manager at the Kelowna courthouse personally sought legal advice and confirmed I was correct. They are now accepting criminal charges I wish to file.

PPS I did make an application on one occasion to have this judgment reversed, however a different judge was on the bench and did not want to hear this,

claiming only J. Beames could do so. That is incorrect, he could have heard the case, but he did have discretion and chose not to hear it.

Next time: Analysis of J. Rooke the Crook in *Meads v Meads* as it relates to David Lindsay and others.

Freedom Rallies

"It ain't over till it's over"

*Next Kelowna Rallies:
Saturday,*

April 20, 2024

Hwy 97 and Cooper!!

May 4, 2024

12:00 pm Stuart Park,

*Join us for important announcements on the
local, legal scene, and informative speakers!*

April 20, 2024 12:00 noon

Vernon Freedom Rally

12:00 p.m. – 2:00 p.m. @ Polson Park

Join Darren for the Largest rally in the North Okanagan, and growing weekly!



**TAKE BACK OUR
FREEDOMS!**

**SATURDAYS
12 - 2pm**

Polson Park Fountain

*** EVERYONE WELCOME ***

FREEDOM RISING

STAND UP  STAND FREE

freedomrising.info

North Okanagan Shuswap

Freedom Radio

<http://s1.vocast.com:11464/stream>

April 20, 2024 12:00 noon

O.K. Falls Freedom Rally

11:30 a.m.

Across from Esso Station

April 20, 2024 12:00 noon

Oliver Freedom Rally

12:00 p.m.

Town Hall

Kamloops Freedom Gathering

April 20, 2024 12:00 noon

Valleyview Centennial Park

CLEAR Telegram

With almost 600 members now and growing, join us in our C.L.E.A.R. Telegram group! Please remember: no foul language, abuse or vulgarity for any posts, keep posts relevant to today's freedom issues, humour is fine, be respectful at all times. Government officials, police, agents or their posts are not accepted nor permitted on this site. Please ensure as best you can, that material you post is accurate and correct. Posting false or incorrect information is not acceptable.

Help us ensure all posts are verified for correctness.

Opinions and discussions on relevant issues are also encouraged.

This is a private group for trusted people and friends only.

<https://t.me/+SWxndPh1I9F2lu-q>