

**With Hitzig Bad Exemption, No Offence ruled for J.P.
With Smith Worse Bad Exemption, No Offence rule too for Me!**

**INSTRUCTIONS FOR APPLICATION TO QUASH
(Print forms in Courier New 12 Point Line Spacing 1.5)
(THESE INSTRUCTIONS ARE NOT TO BE INCLUDED
IN THE APPLICATION RECORD BOOKLET)**

There are two forms to file.

- 1) Motion to Quash to be heard before anything else happens;
- 2) Motion for Return of Controlled Substance when it's over.

FILLING QUASH FORM

A Record of Application is the stapled booklet which includes your Notice of Application to Quash and a Factum or argument.

You just fill in the blanks, sign where you have to, add Ontario or Superior for the Court of Justice on the Record cover, Notice, Factum & Record Cover Back.

RECORD of Application Front & Back Covers

- Note 1: Should be on blue paper or cardboard but I've asked the judge to dispense with color;
- Note 2: In your personal information, Fax is nice but not required, email is nice but not required;
- Note 3: Respondent is the Crown Attorney's office whether you know your own Crown's name or not. Address and phone number are nice.

NOTICE of Application.

- Note 4: Get a date at least 2 clear days away by asking the Trial Coordinator for 15 minutes. Any judge who can amend a wrong address number can quash a bad indictment.

LEAVE AFTER PLEA

- Note 5: If you have already pleaded, you need to get leave to make the motion that those who have not yet pleaded need not.

STANDARD MOTION TO FIX

- Note 6: The Notice contains a standard request asking the judge to overlook or and fix any typo or irregularity that non-lawyers may make that's incredibly useful any time a clerk says it can't

get in for any reason. The motion pre-asking the judge to fix any lay-man errors or omissions makes it his decision, not Her Majesty The Clerk's decision.

Make copies for 1) Crown, 2) Court, 3)+ You and friends.

SERVICE TO CROWN PROSECUTION

Bring one copy to the Crown's office where they will sign accepting service on the back of another. If, for some nasty reason, they won't sign, leave them a copy shouting: "You're served!" Fill out the Affidavit of Service on the back of the court's copy stating you left a copy at the Crown's office on such a date, find a Justice of the Peace to commission your oath (for free) when you, the affiant, sign. Or ask any suit in the courthouse if he's a lawyer who can commission your oath. 99% will say sure (for free). Only one service copy is needed, on the Record you'll give to the court.

FILING WITH REGISTRAR

Just bring the Application Record with the proof of service on the back to the Registrar of the court and file it for hearing by any judge before you are even asked to plead. If he can amend a wrong address, he can quash a bad charge.

NECESSARY BACKGROUND

You might want to print out and read the R. v. J.P. decision by Phillip and Rogin in 2003 as well. But J.P. was found not guilty because of the Hitzig flaws in the MMAR! It's what Phillips and Rogin say about what judges having to follow the Interpretation Act that is our Ace in the hole. Take the time to memorize the Gaudet quote.

<http://johnturmel.com/kits> is the start of everything.