

June 24/2004

To the Supreme Court of Canada

It is my hope that this Court will want to see itself as honest people, and can find the courage to give me an honest answer to my following 3 year-old question. What is the identity of the “**more effective pain medication**” this Court relied on some 3 times on lines 73, 325, and 661, [pages 146, 152, and 160] to eliminate the jury from deciding if what I did was right or wrong?

It was early June of 2001 when I first read the Supreme Court of Canada’s January 18/2001 decision, and later that month when I wrote you people of the Supreme Court of Canada “to find out what drug could have been used to control Tracy’s pain better?” [page 5]

It is now 3 years later and I still have no answer to this 1 simple question. In the Supreme Court of Canada’s January 18/2001 decision the “**more effective pain medication**”, and “better pain management” the Court clearly states “was available” must certainly appear now not to have been available.

The Supreme Court of Canada was misled at the hearing of arguments on June 4/2000. And was again misled on April 4/2002 when Saskatchewan Justice Department Prosecutor Kenneth Mackay wrote in his response to the motion for rehearing “moreover, a feeding tube decreased the risks associated with administering more powerful pain killers such as difficulties with swallowing and aspirating stomach contents into her lungs.” [pages 87 – 88]

This fraudulently fabricated medical claim is prominently featured in all 3 reasons rejecting all 3 of the requirements the Supreme Court of Canada demands must exist in order for

a jury to consider the defense of necessity. These reasons are found in parts 38, 39, and 41 of the Supreme Court of Canada's January 18/2001 decision, [pages 160 - 161].

How can this Court possibly find fault with my question when on line 530 [page 157] of this Court's January 18/2001 decision this Court writes "it may be noted that the requirement involves a realistic appreciation of the alternatives open to a person"?

I believe it is long past the time when this Court should have asked our Justice Minister to determine the true identity of this "more effective pain medication". And determine if it does exist, or if it is a fraudulently fabricated medial claim, designed to bolster the charge against me.

This Court has placed demands upon us that we could not possibly meet, and it is very unfortunate for us that this Court has tolerated, endorsed, and promoted so many underhanded tactics used against us by the Saskatchewan Justice Department prosecutors, and the Royal Canadian Mounted Police.

I believe it has been past situations such as mine that have put the final authority into the hands of a jury, and I believe the set of circumstances here are ample reason to allow a jury to decide on the rightness or wrongfulness of my actions.

I have enclosed another copy of the material that I have put together over the last 3 years. It is my hope that this Court will look at my request.