

CITATION: Richmond v. His Majesty the King in Right of Ontario et al.
2026 ONSC 2246
COURT FILE NO.: CV-25-00000402-0000
DATE: 2026 04 15

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:)
)
GREGORY ALAN RICHMOND) Self-Represented
)
Plaintiff)
)
- and -)
)
HIS MAJESTY THE KING IN THE) L. Dart, for the Defendants
RIGHT OF ONTARIO, THE ONTARIO)
PROVINCIAL POLICE, AND)
ATTORNEY GENERAL)
)
Defendants)
)
) **HEARD:** In Writing

2026 ONSC 2246 (CanLII)

ENDORSEMENT

LEMAY J.

[1] This is a motion brought by the Defendants for a stay of the most recent action brought by the Plaintiff, Gregory Alan Richmond. A Notice of Action was filed with the Orangeville Court on December 22nd, 2025, and there is an accompanying Statement of Claim (“the Orangeville action”).

[2] By way of an endorsement dated March 10th, 2026, I provided the Plaintiff with notice that the Court was considering dismissing the action under Rule 2.1.01

for being frivolous, vexatious or otherwise an abuse of process. I provided the Plaintiff with fifteen days to make submissions on why I should not dismiss this action under Rule 2.1.01. The Plaintiff has now provided a detailed Affidavit outlining his views as to why his claim should not be dismissed.

[3] In the sections below, I will address the following issues:

- a) The nature of the current claim;
- b) The nature of the previous claims that have been dismissed;
- c) The test under Rule 2.1.01 and whether this action should be dismissed.

[4] In addressing these issues, I note that the Plaintiff has had two previous claims dismissed. The first one, brought in Cochrane in 2021 (“the Cochrane action”), was dismissed by Kurke J., with reasons reported at 2022 ONSC 2837. The second action, brought in Newmarket was dismissed by Verner J. in an unreported endorsement on August 2nd, 2022.

The Orangeville Action

[5] In his Affidavit, the Plaintiff makes the following claims:

1. I will do my best as a self represented plaintiff, to explain why my case should be allowed to be heard and not dismissed for being repetitive or frivolous or vexatious or some other abuse of the court, or of our system of justice, In this case the damages are real and many. The damages are ongoing with too many incidents to report, but I have evidence of many. This is a case of true and real malicious persecution of a relatively peaceful and non violent individual. There is no criminal violence in my history, but I have records of S incidents in which crown officers are responsible for physical damages to my person. I have records of 3 periods of false imprisonment and there are likely more.
2. This is a 25 year or longer period, and long pattern of criminal behavior by agents of the crown. Criminal because if I had done these things to anyone I

would likely never get out of prison. Given the number of physical attacks that I have sustained there already.

[6] These allegations are of misconduct against the Crown and agents of the Crown. According to the Plaintiff, these allegations date back twenty-five years. The allegations made by the Plaintiff in his Statement of Claim in the Orangeville action are similar in nature. They are described, in general terms, in the second and third paragraphs of his Statement of Claim, which read as follows:

2. The plaintiff alleges a long approximately 30 year pattern of malicious persecutions, unwarranted detentions, false imprisonments, assaults causing bodily harm, false arrests, the illegal seizures and sales of my sole method of transportation, and intentional infliction of mental distress. By definition torture.

3. Records show a pattern longer than 25 years. From March 20, 2001, to present 5 or more periods of false imprisonment, 3 or more false arrests, and 5 or more assaults causing bodily harm at the hands of crown agents.

[7] The particulars of the Orangeville action detail a series of historical complaints against the Crown, the OPP and other government officials. The allegations focus on the Plaintiff's interactions with various government officials over a thirty-year period. There are a couple of more recent incidents that I will deal with in my analysis section.

[8] One claim, in particular, is that the Crown Attorney in Hearst has made statements in Court which are libelous and slanderous. As will be seen, this is a claim that has been advanced in previous actions.

The Previous Claims

[9] The Orangeville action is, in large part, the same as the actions in both Cochrane and Newmarket. In the Cochrane action, the Plaintiff describes his claims as follows:

Records will show that over a period of 20 years from March 20 of 2001 to present 2 or more significant periods of false imprisonment, 2 or more significant assaults causing bodily harm, 2 or more false arrests as well as other events which can be characterized as a pattern malicious persecution and the intentional infliction of mental stress by the O.P.P.

Also, Crown Attorney Grisla has made statements in court which are slanderous and libel. These events amount to a form of torture and character assassination and are malicious persecution [sic].

[10] Similarly, in the Newmarket action, the Plaintiff describes his claims as follows:

2 The Plaintiff alleges a Long period of Malicious Persecution, Unwarranted Detentions, False Imprisonments, Assaults, False Arrests, The Intentional Infliction of Mental Distress, as well as Libel, Slander and Torture.

3 Records show over the past 22 years from March 20, 2001, to present 4 or more significant periods of false imprisonment, 5 or more assaults causing bodily harm, 3 or more False Arrests as well as other events that can be described as a Long Pattern of Malicious Persecution and the Intentional Infliction of Mental Stress by the Agents of the Crown.

4 The Crown Attorney has made Statements in Court which are libel and Slanderous which are a Further Assassination of my Character and are Malicious.

[11] In essence, these are all the same claims that are being advanced by the Plaintiff. He has changed some of the words in the pleadings, a few of the particulars that he has pled and the amounts that he is claiming as damages. However, the fact remains that the Orangeville action is the same claim as was advanced in the Cochrane action and the Newmarket action.

[12] The only difference in the pleadings is that there are some allegedly new examples of harassment by the police that have been advanced by the Plaintiff. These allegations allegedly took place as recently as 2024.

Should the Orangeville Action be Dismissed?

[13] I am of the view that the Orangeville action should be dismissed under Rule 2.1.01. There are a number of reasons for this conclusion, some of which focus on all of the claims and some of which focus on only the older claims. I will begin by setting out the law, and I will then analyze the claims.

[14] The law on Rule 2.1 motions has been helpfully summarized by Centa J. in *Simon-Aaron v. Food Basics*, 2025 ONSC 5354. In that decision, at paragraphs 4-7, Centa J. states:

[4] Rule 2.1.01 permits the court to stay or dismiss a proceeding if it appears on its face to be frivolous or vexatious or otherwise an abuse of process of the court. In *Gao v. Ontario (Workplace Safety and Insurance Board)*, Myers J. explained:

Rule 2.1 is not meant to apply to close calls. It is not a short form of summary judgment. But that does not mean that it is not to be robustly interpreted and applied. Where a proceeding appears on its face to meet the standards of frivolous, vexatious or an abuse of process, the court should be prepared to rigorously enforce the rule to nip the proceeding in the bud. Rigorous enforcement of this rule will not only protect respondents from incurring unrecoverable costs, but should positively contribute to access to justice by freeing up judicial and administrative resources that are so acutely needed to implement the “culture shift” mandated by the Supreme Court of Canada. The new rule tailors appropriate procedural fairness for the category of cases involved and is an example of early resolution of civil cases that is very much in line with the goals set out in *Hryniak*.^[2]

[5] A frivolous proceeding lacks a legal basis or legal merit or has been brought without reasonable grounds. A frivolous proceeding is one that is readily recognizable as devoid of merit, as one having little prospect of success. A frivolous action is one that will necessarily or inevitably fail.

[6] A vexatious application is one taken to annoy or embarrass the opposite party or is conducted in a vexatious manner.

[7] The court is not to use rule 2.1.01 for close calls. However, neither the opposing parties nor the court should be required to devote scarce resources to proceedings that are clearly frivolous. Allowing such proceedings to occupy space on

the court docket takes time away from other, more meritorious cases. There is simply no benefit to allowing clearly frivolous proceedings to continue. (citations omitted)

[15] In my view, the test for granting a Rule 2.1 motion is met in this case. I will now review the specific allegations and explain why the test under Rule 2.1 is met.

[16] First, there are the allegations made against the Crown prosecutor in Hearst, I note that these statements were made in Court, and I agree with Kurke J.'s conclusion that these statements enjoy immunity (see paragraph 40 of Kurke J.'s reasons). I also note that this decision has not been appealed. It is an abuse of process to advance a second claim for the same relief when the first claim has been dismissed. This claim also has, for the reasons given by Kurke J., no chance of success.

[17] Then, there are the old allegations stemming from the Plaintiff's involvement with the police in Northern Ontario. Those have all been dismissed by Kurke J. and the Plaintiff has not, as far as I am aware, appealed that decision. As a result, it is an abuse of process to advance those allegations as well.

[18] Then, there are the claims brought in the Newmarket action. As Verner J. noted in her endorsement, those claims overlap the claims in the Cochrane action. The Newmarket action is simply an attempt to re-file the Cochrane action in a different Court before a different judge in the hopes that there would be a different result. To the extent that there is overlap between the Cochrane, Newmarket and Orangeville actions, the claims being advanced in the Orangeville action have already been dismissed twice, and permitting them to continue would be permitting the Plaintiff to engage in an abuse of process.

[19] Finally, there are the claims that are unique to the Orangeville action. Those claims are set out at paragraphs 8 and 9 of the Statement of Claim in the Orangeville action, and read as follows:

New Malicious events have happened on the roads. I received a seat belt ticket in the parking lot of my destination EX A Copy of Ticket # 4961:0323383X with no resulting conviction. Sec EX E Explanation for what may have been an ambush involving a stainless steel OPP road closed sign. Hearst OPP confiscated and sold my Can Am 400 4wlr sole method of transportation.

So, now I ride a bicycle. December 23 2024 at 31 B roadway approx. 3Am I was illegally detained by a brunette female OPP officer who pulled me over on my bicycle in the winter because she said I needed a tail light. I had both a head light and a rear reflector. She also said I was on Camera, again no ticket. I made no FOLA requests because the last dealing was they took my \$100.00 and sent me nothing. EX C last F O I A response and pmnt. 21,2021..

Latest assault With Weapon N on Hwy 10 on my bicycle Jan 21 2025 3pm I was obstructed and turned around By 2 OPP officers who had closed the 5 lane hwy with 30 ft ditches to motor vehicles at Terry Street. I was on my bicycle in the winter and they would not let me proceed. They forced me to tum back adding 5 km and 25 min to my winter bike ride. EX F mapped event. A Caledon OPP male with a red tattoo on his left forearm chased me in an OPP S.U.V. and actually grabbed my arm while I was moving quickly. I turned 180 around and was chased S bound on foot by another male officer with dark hair approx 5'6" who gave up chase.

[20] There are three claims advanced in these paragraphs, as follows:

- a) A claim that Hearst OPP took his car and sold it, but that event would have happened before 2021 and would be barred by the limitations period. It is also, in my view, covered by the dismissal of the Cochrane action by Kurke J. Therefore, this claim is dismissed under Rule 2.1.
- b) A claim that he was illegally detained on December 23rd, 2024, by an officer who claimed that he did not have a taillight on his bicycle.
- c) A claim that he was barred from passing along a highway on January 21st, 2025, and that his trip was thereby lengthened.

[21] In terms of these second and third claims, it is difficult to see what tort the Police could possibly have committed in these circumstances. The elements of the tort of malicious prosecution are set out in *Bobel v. Humecka, Patten*, 2021 ONSC

852 at para. 118. They require, among other things, a prosecution that was initiated by the Defendant and terminated in favour of the Plaintiff. No prosecution was initiated in this case. Therefore, there cannot be a malicious prosecution.

[22] Similarly, there is the tort of false imprisonment, the elements of which are also set out in *Bobel* at para. 163. Those required a total deprivation of liberty, among other factors.

[23] The police are entitled to block access to a highway, particularly if the road is impassable as a result of treacherous winter weather. Similarly, the police are entitled to detain an individual and advise them of the fact that their bicycle is not up to standards. There is no basis to establish tortious conduct on the part of the police from the facts pled in these two incidents.

[24] As a result, I am of the view that this action is frivolous and has been brought to embarrass the Defendants. In that respect, I note that paragraph 10 of the Statement of Claim in the Orangeville action states that, “some consideration must be given to events more than 15 years ago to establish the long pattern.” It is clear from this statement, and from reading the pleadings as a whole, that the Plaintiff wants to advance a claim against the Defendants because he feels he has been persecuted by them.

[25] There is, however, no basis in law for the claim that the Plaintiff is advancing. As a result, the Orangeville action must also be dismissed pursuant to Rule 2.1.01.

Conclusion

[26] For the foregoing reasons, the Plaintiff’s claim is dismissed under Rule 2.1.01. The Plaintiff is barred from advancing this claim in any other jurisdiction.

[27] The Defendants are to advise within ten (10) calendar days of today's date as to whether they are seeking costs. While I am not inclined to award costs in this action, I would caution the Plaintiff that, should he attempt to advance these allegations again in a subsequent action, the Defendants will likely seek costs against him and the Court will likely award costs against him.

[28] The Defendants' counsel is to submit the order dismissing the action to the Court Office in Orangeville for signature. The Plaintiff's approval as to the form and content of this Order is dispensed with.

LEMAY J.

Released: April 15, 2026

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Defendants

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