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FILED	FEDERAL COURT COUR FÉDÉRALE	DEPOSE
	JUL 09 2024	
	NATALIE WONG	
VANCOUVER, BC		

Form 66

Vancouver  
Federal Court

BETWEEN:

Kwitsel Tatel - a.k.a. Patricia E. Kelly 579-1

Applicant

and,

Attorney General of Canada  
 Attorney General of British Columbia  
 Year 2000 Chief and Her Council  
 Susan McKamey  
 Alice Thompson  
 Barbara Leggat  
 Betty Paul  
 Margaret Clark

His Majesty  
the King

2024 Chief and Councillor's of Leq'a:mel Indian Reserve 11  
 Year 2024 Leq'a:mel Indian Band Manager, Peter Pynacker  
 Royal Canadian Mounted Police (R.C.M.P.)  
 Department of Fisheries and Oceans Canada (D.F.O.) Commander, Barry Zunti  
 Kirk McCrae, DFO

Defendant(s)

Section 48

~~Simplified Action~~  
 Federal Court Act 18.1 and Rule 334.12(1)  
 SOR/2021-150, s.7

Kwitsel Tatel  
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 East Vancouver BC V5N 2C3

Attorney General of Canada

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Leq'a:mel Indian Reserve  
 579

604-826-7976

FORM 171A Rule 171  
**Statement of Claim**

**(General Heading — Use Form 66)**  
(Court seal)

**Statement of Claim**

TO THE DEFENDANT:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff. The claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or a solicitor acting for you are required to prepare a statement of defence in Form 171B prescribed by the Federal Courts Rules, serve it on the plaintiff's solicitor or, if the plaintiff does not have a solicitor, serve it on the plaintiff, and file it, with proof of service, at a local office of this Court

WITHIN 30 DAYS after the day on which this statement of claim is served on you, if you are served in Canada or the United States; or

WITHIN 60 DAYS after the day on which this statement of claim is served on you, if you are served outside Canada and the United States.

TEN ADDITIONAL DAYS are provided for the filing and service of the statement of defence if you or a solicitor acting for you serves and files a notice of intention to respond in Form 204.1 prescribed by the Federal Courts Rules.

Copies of the Federal Courts Rules, information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO DEFEND THIS PROCEEDING, judgment may be given against you in your absence and without further notice to you.

(Date) **JUL 09 2024**  
Issued by: **Courts Administration Service NATALIE WONG**  
**P.O. Box 10065, 3<sup>rd</sup> Floor REGISTRY OFFICER**  
**701 West Georgia Street AGENT DU GREFFE**  
**Vancouver, B.C. V7Y 1B6 (Registry Officer)**  
Address of local office:

TO: (Name and address of each defendant)

(Separate page) **AGC, AGBC, Year 2000 LFN Council**  
**Susan McKenny, Alia Thompson**  
**Barbara Leggett, M. Clark**  
**2024 LFN Council, Peter Pynaker LFN Band Manager**  
**RCMP, DFO Canada, Barry Zurtis, Kirk McCrae**

# Plaintiff Claims

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SOR/2021-150, s.7

Every six months since 19 October 2000 the applicant's fiduciary's interfered with the Applicant's family, children and work; as a registered Indian 5790011701, a single-mother of then very young children, is a Sto:lo, Coast Salish Fisher then accused by DFO Barry Zunti, Kirk McCrae and 'expert' Scotty Roxborough, 'expert Scientist' Ruth Withler of Nanaimo hired by DFO to argue against the Claimant for apparently "selling fish" and being in "possession" of her unceded, unsold 396 sockeye earmarked for family naming and 2004 Winter Ceremony overlapping with New Westminster file S062942 dated 19 October 2000. Instead, the Applicant's unceded fish was forfeited back by way of Chief Judge of BCSC in Chilliwack; the stolen sockeye by DFO on 14 July 2004 to 2013, of the original 400 sockeye, Barry Zunti accounted for only 396 sockeye and returned the cheap dollar value of only 296 perfectly prepared Sockeye was forfeited back. The balance owing is for 100 fish at \$50.00/pound, not including losses of work, housing, land set aside for Indians at ss. 91:12 and 91:24 of the B.N.A. 1867.

Upon finding all relevant records with facts to this Claimant's case shows the Applicant and her registered Indian children Sii-amwalet Hamilton and Kwiis Hamilton were all forcibly removed from their house and home at #9-42949 Lougheed Highway, Deroche,

BC, V0M 1G0 by way of "petition" to New Westminster Provincial Court, in the year 2000 by Lakahahmen-Leq'a:mel Indian Band Council and Administration referred the Royal Canadian Mounted Police and band-funded now late lawyer, Alisa Noda filed on behalf of themselves as Chief and Council of the year 2000 of "Lakahahmen-Leq'a:mel" and on behalf of band members, but in the year 2000 illegally elected chief Susan McKamey created this private "petition" using "public funds" along with her cheater council members elected in 2000, Barbara Leggat, Alice Thompson, Betty Paul and Margaret Clark who all created a nefarious provincial court "petition" S062942 against the Applicant who was hired by then Secretary of the Lakahahmen-Leq'a:mel, now late Marianne Galt, a Bill C-31 band member of Indian Band reserve 579 to get Lakahahmen-Leq'a:mel funds back in the amount exceeding one thousand dollars that overstepped regulations created year after year to stop all "loans" on I.R. 579, where no special regulation was made for the then band manager Alice Thompson to override band motions; this is criminal activity on two accounts. Overruling band motions and giving "band" money to each other overtop of motions to stop this activity.

Back in 2000, it was common knowledge that Lakahahmen-Leq'a:mel 579 Elder's and Registered Indians all agreed to moratorium of all band revenues; that anyone on reserve list wanting money exceeding one thousand dollars must have requested any amount exceeding one thousands dollars, at a duly convened band meeting. Between Christmas 1999, and New Years 2000, the late Marianne Galt hired the Applicant to get the nearly fifteen hundred dollars back from the then chief for several months up to the Applicant being evicted for false claims of unpaid rent.

The Applicant was hired by then Secretary Marianne Galt who felt obligated to protect the collective revenues of Lakahahmen-Leq'a:mel Indian Reserve-Band and to get back our collective revenues of Lakahahmen-Leq'a:mel Indian Reserve back from then year 2000, chief Susan McKamey and Alice Thompson (A.T.) who both did take illegally or Alice Thompson above band motions "single handedly" giving Susan McKamey over one thousand dollars between Christmas 1999, when the band office should have been closed for holidays, and New Years 2000, ignoring duly convened band meetings scheduling no more loans; Alice Thompson acted as if the Lakahahmen-Leq'a:mel Indian Act revenues and administration dollars were hers to loan out by way of a 'cheque exchange" during a 579 band wide moratorium of all funds since people were not paying their loans back. A cheque exchange is simple. This theft of money was done by way of Susan McKamey crossing a line across hers and her husband Rick McKamey's cheque, saying in writing, "do not cash" for several months into the year 2000; this is breach of duty, and theft of our 579 registered Indian money.

Meanwhile, no special motions were made to give then Band Manager, Alice Thompson, in the year 2000 any authority to loan the then chief Susan McKamey money for her car insurance. No where does it say that the Band Manager could give special loan to the then non-status, white chief illegally elected from the start of her being elected and all deals that the McKamey's have handled, must be reversed.

If Alice Thompson, then Band Manager of the year 2000 approved Susan McKamey for a loan, certainly, everyone on the band list should have gotten their insurance car paid too. If the then chief and her then Band Manager were using 579 Lakahahmen-Leq'a:mel Indian Reserve revenues as if it was their alone to use, both conniving and deceiving fiduciary's went behind closed doors away from duly convened band meetings and any decisions made at duly convened 579 band meeting to stop loans as decided at duly convened meeting over several years in a row. Moratorium of all loans was in place and both They both knew this. Then, Alice Thompson and Susan McKamey took our collective revenues without permission of the registered Indians of Lakahahmen-Leq'a:mel Indian Band-Reserve 579 for their personal needs. They both signed Oath of Office not to steal from the people.

In the year 2000, records show the "chaotic conditions" of I.R. 579 with illegitimate to the rule of law, Susan McKamey, Alice Thompson, Barbara Leggat, et. al., New Westminster Case overlapping with three fishing cases involving fourteen DFO witnesses, two 'experts' scientists were stacked against the Claimant when on 19 October 2000, at all material times the Royal Canadian Mounted Police of Mission City, BC, Canada Detachment at: 7171 Oliver Street, Mission, BC, V2V 6H2 whose phone: 604-826-7161, knew the Applicant was a registered Indian under the auspices of the Indian Act at 579 when they assisted the New Westminster court and the then illegally elected white woman chief and her family must be removed since they are non-status and white people at section 10 of the Indian Act continues to be inconsistent with Canada-made Indian Reserve 579, continues to be under the auspices of the B.N.A. 1867 at ss. 91:12, 91:24 and section 109 must prevail; this rule of law must prevent-stop non-status white people who currently benefit from lands, assets, interests, reserves set aside for registered Indian under the Indian Act band-reserve 579 must be returned to the care of Indian Northern Affairs Canada otherwise known as Indigenous Services Canada and its attending Indian Act to preserve fraud from continuing;

in 2024, the Applicant did personal research in the family and found records correlating to purpose the then chief and council of 2000 ran out of a duly convened meeting to go and host their own chief and council meeting dated 29 June 2000 indicating the chief and council wishes to have INAC-ISC to take over band business, referencing the need to remove section 10 "Membership Code" is interfering with the Applicant's interests: a deep audit by way of land, assets and resources under the Indian Act in its entire history must be utilized in order to get back lands, resources and assets belonging to registered status Indians of 579 whose names are on Department of Indian Affairs Canada-Indigenous Service Canada registered Indian status lists to affirm the rule of law is in order.

The purpose is to stop the then chief and her council of the year 2000 from its deep chicanery of non-status white people running for Lakahahmen-Leq'a:mel Indian political elected office as was and must be the plan to protect the rule of law and all registered Indians of Lakahahmen - Leq'a:mel Indian band-revere 579. "One Feather" must not handout "temporary" voting numbers to non-status white people posing to be

Leq'a:mel "members"! These members are on Leq'a:mel Band Membership list by way of fraudulent and scammer 'rules-regulations' created by predominant non-status white people posing to be Lakahahmen-Leq'a:mel Indians impacting the Applicant's benefits, assets and materials from deep injury using false laws made-up after using the New Westminster Provincial Court to oust the Claimant off of her 579 Indian Reserve by way of Ro

Chief, her council, and administration of Leq'a:mel Indian Reserve set aside for Registered Indians of Leq'a:mel Indian Reserve 579  
VOM 1G0

Phone: 604-826-7976

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Registered Indian status #: 5790011701

New Westminster Order, 2000 r. v. Kelly S062942

Order Date: 19 October 2000

Claim Actual Compensation and Benefits, Interests back twenty-three years to 18 September 2023

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RE: Ceaae and Desist Order to stop the Non status and white family, the McKamey's and McDonalds from further using fake ancestry then ruining the fisheries of the Coast Salish, Sto:lo, Leq'a:mel, promising short term jobs for permanent injury to the entire eco-system; seeking of the RCMP to escort the Applicant-Respondent to 18 September 2023 Lakahahmen-Leq'a:mel Band meeting at 7:00 pm and again on 11 March 2024 and again, on 9 July 2024.

Dear Leq'a:mel Registered Indians and "members" without "status", RCMP at Mission Detachment,

At existing par, the Applicant's inextinguishable interests of the Applicant's Inherent rights, entitlements to her family and all registered 579 Indian Status and Lands set aside for her registered Indian family interfere with the Crown's police and their Indian Act band council, fraudulently elected by Lakahahmen-Leq'a:mel Indian Reserve when they allowed non status and Bill C-31 "members" back; this many years of deep chicanery over lands, interests, resources, Indian Monies, when during the then chief Susan McKamey's chieftainship, she deeply used her position for infringing and using excessive federal force instead of federal duty, then chief of Lakahahmen-Leq'a:mel Indian Reserve New Westminster file should have been stopped by the police in attendance since the bands case in its entirety is inconsistent with the Applicant's protected Constitutional and proclamatory rights and entitlements as a registered Indian of Lakahahmen-Leq'a:mel.

No province and territory has the authority to give force and effect to the Indian Act, "off-reserve", impeding the Applicant and her family's values, interests. Each venues for handling court 'public interest' court cases in Canada's prolific drawing from taxing the public's interest when Crown officials short change people from their collective rights and entitlements using provincial laws over top of Federal laws and jurisdictions that may protect the Applicant and other Native-Indians within the meaning of the Indian Act from treasonous, outright chicanery by way of creating nefarious by-laws that are inconsistent with the Rule of Law at constitutions of Britain and Canada 1867 and 1982.

Combined with protecting by way of action on the river, the RCMP investigation with bias of interviewing one-side of a two party argument connected to "loan" activities the then Lakahahmen band called "cheque exchange" was illegal then and illegal now. The then secretary was fired for updating me, each month passing in 2000, that the cheque was still sitting in the Lakahahmen's safe, not being paid back; causing post traumatic stress on the Applicant-Respondent, band member of Lakahahmen-Leq'a:mel 579. Had there been a two-way deeper investigation into the reasoning, logic and common sense of using a by-law inconsistent to the Applicant-Respondent, Lakahahmen-Leq'a:mel Band status Indian rights and entitlements must prevail.

Deal after deal, the McKamey family continue to Abrogate or derogate inextinguishable rights and entitlements enshrined in law continue to be harmed of Lakahahmen-Leq'a:mel's excessive federal force where federal duty was in order at S062942;

Had the RCMP officer of 2000 investigation sought out the facts in law of Lakahahmen-Leq'a:mel Indian Reserves remaining estates collective rights, of status Indians protected by ss. 91:12, 91:24 and 109 of the BNA 1867 are being overrun with scam "membership" list while status Indian's such as the Applicant, a-status Indian 5790011701 cannot receive from the province of British Columbia, benefits, interests and quasi-agreements under the Indian Act, off-reserve.

In 1980 is agreed by all parties, is a statute in law that the chief and council or its administration cannot extinguish without deep irreparable harms, post traumatic stress, and exclusion of information of Lakahahmen-Leq'a:mel primarily over the last twenty-three years, and must be held to account;

Section 109 is clear! Prima facie, sui generis - the occupying settler's on Lakahahmen-Leq'a:mel Indian Reserve have a personal - posing as private business scam, similar to the one the Grandmother, Susan E. Smith (Lewis-Louis) set-up in the mid-1970's - "The Big E" was named after Susan Smith married Ernie Louis; that enterprise was disguised as "Lakahahmen" business, but, really then Susan E. Smith used band funds to create the Big E as band business but in actual fact, signed the business to herself then left it to her non-status children and grand children. The historical evidence of stealing in the McKamey-Smith family and Thompson family's are attached as evidence of the deep chicanery is going on now in three generations while Canada is allowing this to occur administratively against the rule of law in all these decades.

If the off-reserve tax payer's and the public knew their tax dollars were funding several non status European family's using the Indian Act lands and benefiting off of status Indian benefits, there may be tax revolt.

How is the Receiver General of Canada to base his or her budget accurately if it is being fuddled with by non-registrable European people disguising as "members" of Lakahahmen-Leq'a:mel Indian band using section 10 of the Indian Act, while this status Indian applicant struggles with basics in life, kicked off I.R. 579 in 2000 interfering with the applicant and her family access to such a statute as the Indian Act lands, assets, housing, programs and services under the Indian Act being usurped any non-status farmer families that once surrounded I.R. 579 now control it.

For example, on April 17, 2003 at a duly convened meeting, Susan McKamey discloses for the band membership that she and her son Darrell McKamey are not register Indians, therefore Stacey McKamey and her son and family's are ineligible to be registered on Leq'a:mel Indian Reserve. Section 10 or not, this family is caucasian. Canada is evading the rule of law and statutes that must protect registered Indian Status benefits from non-status Europeans or Bill C-31 "members" from the loop hole derived at using section 10 of the Indian Act is further harming the interests and assets of the applicant registered Indian Status since 19 October 2000, and every six months.

The B.N.A. 1867 provisions are clear that the province would look after occupying provincial boundary lines and the federal government would “maintain the right” via their federal Royal Canadian Mounted police boundary lines and laws over on-reserve, off-reserve jurisdictions and not molest or rape Indians in accordance to the Royal Proclamation of 1763. The applicant has suffered immeasurable harms and sexual abuse by the hands of the Crown at least six times in twenty-four years since being ousted from my Indian Reserve for holding Chief and her band manager to account.

Besides the abuse of the RCMP affairs with Indian Reserve 579, the applicant has suffered sexual abuse by the R.C.M.P. overlapping with the same by the Chilliwack Law Court Sheriff’s on 25 July 2013. The overlapping and excessive federal force and abuse occurring for so long, a long-standing problem of racist, discriminatory policing by the Royal Canadian Mounted police, Department of Fisheries and Oceans Canada police, sheriff’s in the Chilliwack Law Courts especially, in the Applicant’s family history is due to the Applicant’s family practising what may have been their Aboriginal and Treaty rights on or near the Lakahahmen-Leq’a:mel Indian Reserve 579. In investigation after investigation the applicant’s Indian Status was “interfered” ‘as if extinguishable’ when found guilty by the Indian Reserve chief, council and its housing administration using excessive federal force by way of RCMP, overlapping with Department of Fisheries and Ocean’s Canada police, including Sheriff’s and their office in Chilliwack, the para military caused irreparable harms, post traumatic stress, vaginal, anal searched in one day, twice, 25 July 2012 by the Chilliwack Court Sheriff’s and again once transferred to RCMP detachment and I did not need a vaginal and anal searches by way of transferring the status Indian, suffering the deep effects of both federal I.R. file - S062942 overlapping with federal fishing file - 05670,.

Both federal Indian issues were subsequently run through the provincial courts lack jurisdiction to decide on costs, or constitutional protections, rather, focused as Chief Judge of British Columbia where each fiduciary failed “federal duty” for not doing complete investigation into the extremely negative harms and post traumatic stress left of the applicant-status Indian responding to over two decades of oppression, repression, depression as a result of the Royal Canadian Mounted Police and the then Chief and Council and its administration for doing that “cheque” exchange” during a moratorium of all funds where no special provision was given at each duly convened meeting for 1996, 1997, 1998, 1999, the other-side of the story-investigation of S062942. (See attachments).

Each fiduciary and office of Canada that must protect its rule of law by giving force to the “supreme” law of the “land” before criminalizing a status Indian; where positive force and effect to the Constitution of BNA 1867 ss. 91:12, 91:24 and section 109 continue to be of force and effect, and the status Indian-Applicant-Respondent

jurisdiction predates the Setter's Royal Proclamation of 1763, provisions in each if given positive effect, may prevent the excessive federal force, over Federal Duty when over-representation of "Indians" in Canada court, then jail is a big problem; due to the liars at the Ministry of Justice not taking the Rule of Law seriously and continuously impacting the Applicant and many other Indians who suffer repression, depression, oppression, ultimately causing over-crowding of files in three venues; and not one fiduciary oversaw the problems interfering with constitutional supreme laws that must protect the applicant instead of the 'routine' excessive Federal force in the status Indian Applicant-Respondent's family's life since each application "convicting" the applicant-respondent before ensuring the supreme law was protected in relation to the applicant-respondent is evil, and S062942 and 05670 were applications wrongfully submitted to a provincial court; either the Minister's of Justice don't care, or Crown officials in each office are denying and making negative the Indian status and benefits and interests difficult to access by each Crown official's application to the provincial court lacks jurisdiction to be competent in protecting the Applicant's Indian status.

The Applicant seeks back retro-to 2000, important benefits and interest under the auspices of the Indian Act; the RCMP must "maintain the right" of an application being treated so terrible, placed in the wrong jurisdiction at Federal Duty to protect rather than exercise excessive Federal force where the rule of law at ss. 91:12, 91:24 prevail overtop of the Lakahahmen-Leq'a:mel Indian bands by-law "1997 Conduct and Nuisance By-Law, 1997" is wholly inconsistent with Britain North America Act of 1867 was the supreme law; now, as of April 17, 1982, yet unratified, Canada Constitution Act, 1982, s. 35(1) must be given force and effect above the lame by-law used to capture then evict the Applicant-Respondent, status Indian family for being hired to assist the then secretary of the Lakahahmen-Leq'a:mel Indian band money from the then band manager giving the chief money cause she needed it for her vehicle insurance.

In direct opposition to routine motions to oppose "loans" made at duly convened meetings of I.R. 579 registered Indian of Leq'a:mel put a stop to the then elected chief coined her loan between Christmas 1999 and 2000 as a "cheque exchange" which is another word spell for "loan", which were stopped at several duly convened band meetings over the years 1996, 1997, 1998, 1999, 2000.

The protocols of duly convened band meetings must meet the interests of the band, and not the personal interest of the then chief or her then administration band manager, Alice Thompson who both signed oath of offices. Above motions made to oppose 'loans' at several duly convened band meetings, Susan McKamey took band funds from the band safe for her personal needs above the collective interests of Lakahahmen-Leq'a:mel's was nefarious cheque exchange in 2000 and must be in 2024; during I.R. 579 several years long moratorium has no special provision that says she could use band funds for her vehicle insurance; no special arrangements were made for

the chief to take out a loan to pay her car insurance between Christmas 1999 and New Years 2000.

Taking that loan was a terrible breach of law and federal duty that cost the Applicant, her children's lives, and indeed every registered Indian of 779 interests were breached by non status family of Susan McKamey should be off-reserve by now;

The RCMP and Canada and its perpetrator's of the rule of law at B.N.A. 1867, ss. 91:12, 91:24 and 109 must compensate the Applicant for deep harms related to file S062942 in actual funds and resources retrospect to twenty-four years of the fiduciary's at 579 and each Federal office connected to S062942 including the RCMP for ignoring, denying and negating the Applicant's status Indian Benefits, with interest in business of the band being lost to nefarious order S062942; Who protects the applicant's benefit's and interest's of band land at certificate of possession lands held when the Applicant-Respondent's parents were alive at Skweahm in its entirety or at 40929 Lougheed Highway, in its entirety, under the Indian Act, 1950. The Applicant seeks of the court and RCMP to re-patriate the applicant back to Skweahm Place in lieu of her the benefits and entitlements from 2000-2023, under the auspices of the Indian Act, 1980, back to Kwitsel Tatel and her registered Indian Status family of Leq'a:mel, Skweahm Place at 40929 Lougheed Highway, Lakahahmen-Leq'a:mel Indian Reserve, V0M 1G0 at best, or divide the reserves and assets as motioned and passed on 29 June 2000 in that private chief and council walked out of a duly convened meeting of the same date and made motions to divide our assets and lands respectively in half.

The applicant is left with special standing once given the boot off of her Canada-allotted Indian Reserve at 579, however, until the application can be brought to the originating court, the Applicant-Respondent of S062942 seeks of the RCMP to escort to the Lakahahmen-Leq'a:mel Indian Band - Reserve meeting at the band office, east of so-called Deroche, BC, V0M 1G0.

The Defendant's actions for twenty-four years is wholly inconsistent with the Applicant and her status Indian family's certificate of possession lands must be respected, recognized by Canada immediately; the original certificate of possession belonging to her late parents and now the Applicant wants Canada to create a new Indian Reserve out of Skweahm #10 at 40929 Lougheed Highway repairing her entitlements and rights back in addition to other lands on reserve for division, unless section 10 "membership code" is repealed, then, all registered Indians may benefit back what is taken by non-registered people claiming "membership" is in excess breaching the interests of all registered Indians including the applicant and her now adult children.

Interests of the Applicant and her family and other registered Indians of 579 continue with no treaty over Coast Salish Sto:lo lands and territories, the process to overturn, vacate, get rid of, vacate, exterminate Leq'a:mel's application and the New Westminster's Court Order of S062942 disrespecting the Applicant's Inherent, Indian-Aboriginal and Treaty rights and entitlements to know about, must repeal deals such as the Canadian Pacific Railway, and recently the \$75 million Specific Claims may be restored back to the Applicant given level of respect where the Rule of Law is being disrespected by each Crown official whose names are attached to the Applicant's status Indian family with registered Indian Status.

Deep and serious impacts on the Applicant and her family's interests of unceded lands, resources were deliberately interfered with, interrupted by compounding systems of Canada's penal system that fail to respect the Rule of Law clearly outline in each proclamation and constitution of North America, Canada including physical, spiritual, socio-economic, political, legal inability to function without basics such as income, home, work, schooling, causing deep disrepair to the interests and freedoms forced away from the Applicant each time the RCMP failed to give force and effect to the BNA 1867 Constitution at ss. 91:12, 91:24 and section 109.

While the applicant origin precedes and the founding document of North America, the Royal Proclamation of 1763, by thousands of years, there are two paths the occupying sovereign can go by. Crown-Aboriginal Relations can either give positive force and effect to its rule of law as it applies to the Applicant-Respondent or not. Denying and negating the Applicant-Respondent's if-then proceeds from the BCSC in New Westminster back to the Federal jurisdiction! (T-809-21)

The Applicant so harmed with her registered Indian family that it took all these years of arguing for clean water, and fishing "rights" are fundamental rights interfered with at New Westminster file: S062942 continuous and direct impacts are related to each harassing Royal Canadian Mounted Police and Department of Fisheries and Oceans Canada officer, including Department of Fisheries Oceans Canada, Barry Zunti and Kirk McRae in their third case against the Applicant-Respondent for "possession" of unceded Coast Salish, Sto:lo, Leq'a:mel fish, thus, their excessive federal forcing the Applicant away from access to the Administration Act and other institutional instruments that affirm positive rather than negative their protected rights and entitlement's enshrined in the Rule of Law at minimum of this Honourable Court, the British North America Act of 1867, ss. 91:12, and 91:24 must be statutes in protection of Canada's Indians from further settler incursion, now on the small concentrated lands at Canada-made Indian Reserve 579. The chief claims she did her federal duty by running out of a band meeting, causing loss of quorum; rather that the then chief practice respect for the then 'moratorium' passed at several years of duly convened meetings where no

special privilege was given for the chief or any of her subordinates at the years 1996, 1997, 1998, 1999, exercising positive Federal Duty and not performing excessive Federal Force on the Applicant and her family. The Lakahahmen-Leq'a:mel Indian band's penal affects on the Applicant-Respondent registered Indian status is being "interfered with" 'extinguishment of access to Indian Reserve land, programs and services by non status white chief leading the creation of a by-law inconsistent with the Applicant-Respondent's protections afforded to each "status Indian" registered under the BNA 1867 ss. 91:12, 91:24 and 109 are instruments in law that must assist the Applicant-Respondent to oppose the illegal and abusive "term" "membership" for over twenty years and counting.

This deep chicanery must stop. Non status, Susan McKamey's "conduct and nuisance by-law 1997" must be overturned, vacated, released, thrown out, struck, due to its lack respect for the basic benefits lost under the Indian Act, 1980 since it is inconsistent with the rule of law.

Primarily, and to start with, the Applicant seeks of the RCMP Mission Detachment to bring this originating court file S062942 of over twenty years now, to stop the record of abuses and post traumatic stress of the Applicant-Respondent, a registered Indian of Lahahahmen-Leq'a:mel.

The then administration of Lakahahmen-Leq'a:mel, did fail to uphold the honour of the Crown at S062942 overlapping with another federal file, 05670 during 2000-2023, by way of too many negative applications impinging on the Applicant-Respondent by way of New Westminster Court order: S062942.

The Applicant Respondent Indians status family want their interest in lands and resources back by way of eradicating the unfair, unlawful, undignified section 10 Membership Code created a loop hole for nonstatus and frauds from impacting assets, lands and interests to Indian reserve 579 must be protected from this inconsistent 'code' to the supreme law. Specifically, the British North America Act of 1867, ss. 91:12, 91:24 and 109 each explicit in the most supreme rule of law that created Canada Constitution Act, 1982, section 35 must be yet ratified, as the First Minister's conferences intended to ratify then prime minister Pierre Elliot Trudeau's attempt to gain ratification was at: Charlottetown and Meech Lake Accords, both failed.

The applicant's records show excessive federal force and terrible federal effect by the then chief and council and their administration created this excessive federal force in their call to the RCMP to do a one-sided investigation of the Applicant, when they interviewed the then chief, Susan McKamey's revengeful application using nefarious by-law that is wholly inconsistent with the Applicant's family's Indians Status at ss. 91:12, 91:24 and 109 of the BNA 1867. See attachments to evidence of the deep

chicanery of the then administrator's abusing the Leq'a:mel Indian band's decision made at a duly convened meeting to place a moratorium on all loans that triggered then elected chief who is non status and must never have ran for political office in accordance to the then original writing in the 1995 "Membership Code". Nonstatus and Bill C-31 were invited to work in the administration office of Lakahahamen now Leq'a:mel Indian Band. Seriously, a 579 band wide moratorium started in 1996, running through to 1999 when all this excessive Federal force began for the applicant for being hired to hold the then chief and her band manager to account for taking money from the band's safe, sometime between Christmas 1999 and New Years 2000. Among registered Federal Indian Reserve 579 minutes relevant, correlate exactly parallel to the applicant holding the then Chief and Band Manager to account when the rest of the council stormed out of a duly convened band meeting and went to create their own meeting to have then Indian Northern Affairs "divide reserves and assets" relevant and legal to this application in 2024. Due to irreconcilable differences, the applicant seeks of this courts assistance to follow through with the division of reserves and assets or simply remind, get rid of, delete, remove the "Membership Code" to gain list of only registered Indians of Leq'a:mel to save interests, assets, programs, services, lands to registered Indians of Leq'a:mel 579, used to be written as Lakahahamen.

The then, now late Secretary was terminated for hiring the applicant to get back the "cheque exchange" loan that was overridden and approved for the Chief to take money from the bands safe and place a blank cheque with a line struck across the cheque; for months and months this same cheque has then chief of Leq'a:mel signature saying do not cash. This act was criminal. The then chief and her band manager had no authority to go above motions created for years in effect at the time of this theft of over one thousand dollars.

The late Marianne Galt, the then secretary job was terminated after the then chief and council for ultimately doing their job by protecting the collective interests of each registered Indian of 579 from the nefarious activities of Susan McKamey and Alice Thompson over top of band council motions done at duly convened meeting after meeting over years to place a moratorium of all loans from the band. When Alice Thompson the then band manager approved a "cheque exchange" for then chief Susan McKamey, then Secretary of the band, Marianne Galt knew it was stealing and asked for my assistance to get the Registered Indians collective bands money back in the amount stolen; causing deep chicanery of jurisdiction, unceded lands, reserve lands and the Rule of Law for everyone concerned since in one set of meeting minutes of I.R. 579 band meeting minutes show in one instance decisions were made to request of Indian Northern Affairs Canada to "divide our lands, assets and reserves" while shortly after, the same meeting, the push was for then Housing Officer, now late sister of the Secretary, Juanita Townley is ordered to begin "eviction" of people they deemed to be in 'rental arrears' when they failed to give force and effect to the Indian Act in relation to the applicant and her family's entitlements and rights to living in Indian Reserve 579 were deeply infringed on for nearly twenty-five years, impacting the applicants interests.

After twenty-four years and counting, the applicant was turned away from the New West Minister court application process as a self-representative to application S062942 and was turned away from that jurisdiction and court. The Registrar said to the Applicant that the order of the then chief and her administration continues to be unreasonable, illogical, and of no common sense but since the case is so old, that he would not take an application from the Applicant in this new case; the excessive federal force exercised by Susan McKamey, Alice Thompson, Barbara Leggat, Betty Paul and Margaret Clark and each succeeding council and their administrator's failed to uphold the rule of law and its positive effect for the Applicant and her then very small children, and instead used excessive federal force that has left many unseen harms including the then RCMP's misinterpretation of the Rule of Law that protects the Applicant Indian Status were flagrantly ignored while they came to the reserve once municipal - provincial court judge ruled with the then Chief, her council and administration to 'evict' the applicant and her family for holding them all to account for allowing this "cheque exchange" above the Indian Registered 579 who all voted to stop all loans, for years! The logic of file number S062942 must be struck, overturned, thrown out, rejected in order to restore the Rule of Law that is clear positive and respectful of the Applicant and her Indian status family must be compensated for these irreparable harms to the lives of the applicant's children and her own life overlapping excessive federal force and effect for defending the Aboriginal and Treaty Rights and Entitlements to fish (47476-1), unceded. Lakahahmen First Nation Job Description of expenditures states clearly at number three (i), under the heading of Administers **finances** that "Authorizing the expenditure of monies and the acceptance of tenders or contracts for items within the approved budget, without prior Council approval to an amount not exceeding \$1000.000 and with prior Council approval greater that \$1000.00. There is nothing stating that Alice Thompson, then Band Manager of Lakahahmen-Leq'a:mel could loan the chief over one thousand dollars. There is nothing in the Indian Act to this extent either.

At each duly convened meeting from 1996, 1997, 1998, 1999, the Applicant was treated as if she was disorderly for challenging the theft of band funds from the safe between Christmas 1999 and New Years 2000 by then band manager and chief of Lakahahmen-Leq'a:mel Indian reserve as was hired by then band Secretary, now late Marianne Galt hired the applicant to assist her in getting the "loan" back that was done by way of a "cheque exchange" during a moratorium of all loans since people were not paying the loans back. During each duly convened meeting, the band list of status Indians and those on the membership (nonStatus people) list was completely ignored and overridden by the then Band Manager of Leq'a:mel, Alice Thompson disrespected the band's moratorium, helping or allowing the chief to remove cash from the vaulted safe and then put her "blank cheque" in the safe calling it a "cheque exchange", really meaning loan, disrespecting the band's decision to stop loans from going out the door since people were not paying them back.

No special provisions for loans were made for the chief or anyone on the Leq'a:mel status Indian list or the non status membership list. Two separate lists

were made to ensure everyone knows who is status and who is non status preserving benefits for status Indians and the Rule of Law. Those non status Indians must be checked up on by the Receiver General of Canada to ensure each white person, non status on Leq'a:mel's membership list must be tax payer's since they do not have status they cannot have certificate of possession lands or benefits that belong to status Indians.

For example, non status, European Darryl McKamey and his mother raise the fact that neither of them have registered Indian status as set in band minutes of sometime in 1997, 1998, and 1999, therefore, must cease and desist any plans of "business" that may cause Coast Salish, Registered Indians especially, further harms to the registered status Indian fishing grounds on-reserve set aside for registered Indians. with status registered band numbers. I.R. monies must be for registered Indians; Darryl McKamey is a white man and cannot be defined as an Indian under the auspices of the Indian Act, Therefore the McKamey's including Stacey and her brother Darrell McKamey must not spend my monies or interests, by way of holding certificate of possession to lands reserved for registered Indians.

How do you challenge the constitutionality of a law in Canada? Who is doing the recognizing and affirming of registered Indians on reserve?

As a person with legal standing, the Applicant makes this application to the Federal Court to declare any provincial or federal law unconstitutional is of no force or effect.

## LEGAL BASIS

- 1) Royal Proclamation of 1763 emerged as response to the Seven Years War between France and Britain verifying the Proclamation of 1763 forbade all settlements west of a line drawn along the Appalachian Mountains, which is delineated as an Indian Reserve set aside for "Indians".
- 2) British North America of 1867 recognized and affirms the Royal Proclamation delineating smaller tracts of land than what is proclaimed flowing from the Royal Proclamation of 1763, partial attendance of the BNA of 1867 at sections 91:12 and 91:24 where smaller tracts of lands are set aside as 'reserve' for Indians with verified Indian Act 'status, to the Applicant-Respondent Status Indian has faced unconstitutional protection of the RCMP and Indian Reserve 579, long enough.
- 3) Indian Act R.S.C. 1985, c.1-5.

4) United Nations Declaration on the Rights of Indigenous Peoples, 2007, in its entirety.

#### MATERIALS TO BE RELIED ON

- 1) Pre-Royal Proclamation of 1763 marks two jurisdictions; one for British North America Settlers, and one for "British North American Indians" and its B.N.A. of 1867, ss. 91:12, 91:24, and section 109. From these legal instruments flow, Canada's *Indian Act, RSC 1985, c.1-5*.
- 2) United Nations Declaration on the Rights of Indigenous Peoples 2007.
- 3) Twenty-four years of records relevant to the Applicant and this proceeding.

The Applicant, a registered status-Indian of Lakahahmen-Leq'a:mel Indian Reserve 579 was forced by court order at S062942 and 05670, several Lakahahmen-Leq'a:mel Band meetings to participate in a vote that may further impact the applicant's interests and assets wholly in accordance to the Indian Act, 1950, c. 1-8; and cause post traumatic stress to the Applicant impacted severely by and of S062942 was escorted off Lahahahmen Indian Reserve in October of 2000 by RCMP, and seeks the RCMP assistance to be escorted back onto the Lakahahmen-Leq'a:mel Indian Reserve for several very important meetings to do with the Applicant further interest to protect the so-called I.R. 579 from fraudsters, including the Fraser River and any surrounding waters of Lakahahmen-Leq'a:mel Indian Reserve from non status white people usurping lands and resources set aside for registered Indians of Lakahahmen-Leq'a:mel Indian Reserve. As an example, Darryl McKamey is not a registered status Indian within the meaning of the Indian Act and must cease and desist all action to further ruing the interests of the next seven generations needs to the Waters, Fish, Resources. Darryl McKamey, a non status white man must not have certificate of possession to lands set aside for Indians at ss. 91:12, 91:24 and 109 of the BNA 1867, The RCMP are requested to keep the peace and maintain the right and order at this evenings band meeting at Leq'a:mel Indian Reserve band hall. Darryl McKamey and the entire McKamey family are non status white people and must cease and desist operations that may potentially further cause irreparable harms to fish habitat and those protected fishing rights of all "Indians" in Canada. This meeting at the Lakahahmen - Leq'a:mel band hall is being used by Darryl McKamey for private enterprise in the long run, and must cease and desist his white man ideas that may ruin the next seven generations interests in fish, land, resources, limited;

RCMP must give force and effect to Canada's supreme law to assist the Applicant-Respondent to educate Darryl McKamey and others at the band meeting of the Fact, cutting trees down, placing them in water is toxic to the Coast Salish, Sto:lo, Leq'a:mel fishery. Cease and desist your terrible plans Darryl McKamey and the

McKamey family of creating a Log Jam sort on Indian Reserve Leq'a:mel, set aside for myself and all registered Indians. Your a "membership" does not mean you and your McKamey family are registered Indians, Darryl McKamey and family. Cease and desist your ruinous plans more for our fishery on the so-called Fraser River, on Indian Reserve lands. Darryl McKamey and his McKamey family are not registered Indians; and the Applicant - Respondent seeks of the RCMP to attend this important band meeting just now brought to the Applicant-Resondent's attention early today (18 September 2023) one of the Applicant - Respondent's sisters.

The applicants estates and trusts at section 112(1) where a breach of trust, and fraud are rampant on Indian Reserve 579 and the public interest, public safety of the public purse is at further risk if not stopped. 579 deep Audit is necessary, Possibly, direction of this Honourable Court is possible as the applicant is self representing and a friend of the court may be necessary to protect the rule of law in Canada concerning lands reserved for Indians on I.R. 579.

Respectfully elaborated finally after twenty-four years of healing,  
Kwitsel Tatel - Patricia E. Kelly  
5790011701  
19 October 2000 to 9 July 2024

% 1957 East 13th Avenue  
East Vancouver BC V5N 2C3

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