

Patrick Fox

1451 Kinsmen Ave
Port Coquitlam, BC
V3C 1S2

2022-07-18

Attn: David Layton
BC Prosecution Service
865 Hornby St, 6th Floor
Vancouver, BC V6Z 2G3

Re: R. v. Patrick Fox;
Court of Appeal no CA48145

Dear Mr. Layton:

One of the issues I am raising in this appeal is that because I was in custody and self-represented I was not able to access my email in order to present the email message I sent to editor@chesicapeano.com on 2021-08-13 requesting they shut down the website.

I intend to seek to adduce that email as fresh evidence in this appeal. However, since I am in custody I, again,

do not have access to that email account.

For what I believe should be obvious reasons, I am not willing to give the police or Crown the password for that email account so they can access that email on their own because that would also give them full access to every email ever sent to/from that account.

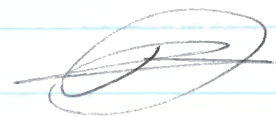
What I'm hoping is that the Crown or the VPD can facilitate me accessing that Gmail account, in their presence, while they observe, so that there is no question about the authenticity of the email. Presumably, I would print the email from the Gmail web interface, and also forward a copy to you or the DFI so they can do whatever, to try to prove the message is not authentic. I would like to point out that what I'm proposing here was explicitly NOT presented to me as an option at the time of my arrest or at the trial. The only option I was presented with was to provide the police my passwords.

And, since I would obviously have some concern about the police (or Crown) using a keystroke monitor to capture my password as I log into the email account, I would request that my laptop, which is currently being held in

the matter of 244069-8-3, or the other laptop which is being held in the matter of 244069-7-3, be used rather than a device controlled by the VPD or the Crown. Since both Chris Johnson and Judge Denhoff insisted after the trial, that I could have used that very laptop to do that very thing, in the courtroom, during the trial, then I can't imagine that the Crown could possibly have any legitimate objection to me using either of those laptops for that same purpose at this time.

If you have any questions or concerns about this, please let me know.

Sincerely,


Patrick Fox