

Date: 20081023

Docket: A-429-08

Citation: 2008 FCA 322

Present: PELLETTIER J.A.

BETWEEN:

BRYAN RALSTON LATHAM

Appellant

and

HER MAJESTY THE QUEEN

Respondent

Dealt with in writing without appearance of parties.

Order delivered at Ottawa, Ontario, on October 23, 2008.

REASONS FOR ORDER BY:

PELLETIER J.A.

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REASONS FOR ORDER

PELLETIER J.A.

[1] Mr. Latham, an inmate of the Saskatchewan Penitentiary in Prince Albert, Saskatchewan, brings two motions in connection with his appeal from a decision of Madam Justice Tremblay-Lamer. The first motion seeks an order directing the Administrator to prepare the appeal book. The second motion seeks an order setting the contents of the appeal book. These reasons will deal with both motions.

[2] I will deal with the second motion first since it logically precedes the first. The dispute between Mr. Latham and counsel for the Attorney General is whether certain submissions made by Mr. Latham in the course of the proceedings should be included in the appeal book. The contents of

the appeal book are fixed by Rule 344 of the *Federal Courts Rules*. In his second motion record, Mr. Latham includes his exchange of correspondence with counsel for the Attorney General. The agreement as to the contents of the appeal book, which is attached to counsel's letter dated September 10, 2008, complies with Rule 344. Consequently, the contents of the appeal book will be as described in that document.

[3] I agree that Mr. Latham is not in a position to prepare the appeal book. There will be an order directing the Administrator to prepare the appeal book in accordance with the proposed agreement as to the contents of the appeal book, as adopted by this Court.

"J.D. Denis Pelletier"

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-429-08

STYLE OF CAUSE: *Bryan Ralston Latham v.
Her Majesty the Queen*

MOTION DEALT WITH IN WRITING WITHOUT APPEARANCE OF PARTIES

REASONS FOR ORDER BY: PELLETIER J.A.

DATED: October 23, 2008

WRITTEN REPRESENTATIONS BY:

Bryan Ralston Latham

FOR THE APPELLANT
On his own behalf

Marcia E. Jackson

FOR THE RESPONDENT

SOLICITORS OF RECORD:

John H. Sims, Q.C.
Deputy Attorney General of Canada

FOR THE RESPONDENT