

CANADA / JUDGMENT

R. v. Holland

2020 BCCA 16

COURT

British Columbia Court of Appeal

DECIDED

9 January 2020

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2020 BCCA 16 R. v. Holland COURT OF APPEAL FOR BRITISH COLUMBIA Citation: R. v. Holland, 2020 BCCA 16 Date: 20200109 Docket: CA46262 Between: Regina Respondent And Zsuzsanna Holland Appellant Before: The Honourable Chief Justice Bauman The Honourable Mr. Justice Tysoe The Honourable Mr. Justice Abrioux On appeal from: Orders of the Supreme Court of British Columbia, dated May 13, 2019; June 3, 2019; September 4, 2019; and September 6, 2019 (R. v. Holland, Kamloops Docket 105848). Oral Reasons for Judgment The Appellant, appearing in person (via Teleconference): Z. Holland No one appearing on behalf of the Respondent Place and Date of Hearing: Vancouver, British Columbia January 9, 2020 Place and Date of Judgment: Vancouver, British Columbia January 9, 2020 Summary: The appellant filed four notices of appeal, which were referred to this Court by the Registrar for summary determination under s. 685(1) of the Criminal Code. Held: Appeals dismissed. Three of the notices are interlocutory decisions in criminal proceedings, which this Court lacks jurisdiction to review. The remaining notice is moot.

- [1] BAUMAN C.J.B.C.: Ms. Holland has filed four notices of appeal in the Registry of this Court. The Registrar has referred them to this division for summary determination under s. 685(1) of the Criminal Code, R.S.C. 1985, c. C-46.
- [2] Three of the notices of appeal are these: · December 4, 2019 -- in respect of a ruling made by Justice Donegan in Kamloops, Supreme Court file no. 105848; · December 9, 2019 -- in respect of a ruling made by Justice Donegan in the same matter; and · December 23, 2019 -- in respect of a ruling made by Justice Donegan, again, in the same matter.
- [3] These orders are interlocutory within a proceeding charging Ms. Holland with offences under the Criminal Code, for which she is currently awaiting trial.
- [4] For the reasons of Justice DeWitt-Van Oosten in R. v. Holland, 2019 BCCA 417, these putative appeals cannot proceed for want of jurisdiction. They are quashed.
- [5] Ms. Holland, along with Fanny Stump, also filed a so-called amended notice of appeal in respect of rulings made on November 21 and 25, 2019 in Kamloops Supreme Court file no. 105679, which apparently involves an accused named R. Charles Bryfogle and his appeal from conviction and sentence in provincial court.

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- [6] Ms. Holland and Fanny Stump have no standing in that appeal and cannot purport to appeal rulings made in that case. In any event, one of the decisions in the application they seek to appeal involves habeas corpus in respect of Mr. Bryfogle. That is moot as Mr. Bryfogle has served his sentence and is not, to our knowledge, currently in custody. That appeal is also quashed.
- [7] TYSOE J.A.: I agree.
- [8] ABRIOUX J.A.: I agree. "The Honourable Chief Justice Bauman"
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