Court of Queen's Bench of Alberta

Citation: Canada (Attorney General) v Anderson, 2022 ABQB 310

Date: 20220426
Docket: 2201 00398
Registry: Calgary

Between:

Attorney General of Canada

Applicant

Sandra Ann Anderson, a.k.a. i: woman: Sandra of the Anderson family, a.k.a. Sandra of the Anderson family, a.k.a. Sandra Ann Anderson, Executor of the SANDRA ANN ANDERSON ESTATE

Respondent

Memorandum of Decision
of the
Associate Chief Justice
J.D. Rooke

I. Introduction

[1] Sandra Ann Anderson [Ms. Anderson] has an extensive record of employing legally false Organized Pseudolegal Commercial Argument [OPCA] concepts (see ***Meads v Meads***, 2012 ABQB 571) in a range of court proceedings: ***Anderson (Re)***, 2022 ABQB 35 at paras 5-17. OPCA schemes are typically applied to evade income tax, as a "get out of jail free card", to attack government and institutional actors, or as a way to purportedly nullify debts and get free money: ***Unrau v National Dental Examining Board***, 2019 ABQB 283 at para 178 [***Unrau #2***]. Employing pseudolaw is always an abuse of court processes, and warrants immediate court response: ***Unrau #2*** at paras 180, 670-671.

[2] On February 14, 2022, the Attorney General of Canada [Canada] applied for an Order that Ms. Anderson be made subject to *Judicature Act*, RSA 2000, c J-2, ss 23-23.1 court access restrictions to mitigate Ms. Anderson's abusive litigation conduct. Following this Court's usual practice, Canada's Application was conducted on a document-only basis: ***Unrau v National Dental Examining Board***, 2019 ABQB 283 at paras 565-576. In a written Decision reported as ***Canada (Attorney General) v Anderson***, 2022 ABQB 135 [***Canada v Anderson***], I set deadlines for the process to evaluate Canada's *Judicature Act* application:

> 1. Canada and Ms. Anderson have until March 25, 2022 to file and serve written submissions and provide further affidavit evidence in relation to:
>
> a) whether Ms. Anderson should be subject to court access restrictions pursuant to *Judicature Act* ss 23-23.1, and
>
> b) if so, what should be the scope of those court access restrictions.
>
> 2. Canada and Ms. Anderson have until April 8, 2022 to file and serve rebuttal argument.

[***Canada v Anderson*** at para 3.]

[3] Ms. Anderson was, at this point, subject to interim court access restrictions imposed in ***Anderson (Re)*** at para 26.

[4] Written submissions, and a supporting March 24, 2022 Affidavit of Carolina Japuncic, were received from Canada. No materials were received from Ms. Anderson. Ms. Anderson was clearly aware of the *Judicature Act* process initiated by ***Canada v Anderson***. Ms. Anderson phoned my Executive Judicial Assistant requesting copies of decisions that I had issued in relation to her activities. On April 8, 2022, Ms. Anderson by email wrote my office and stated she would not be making a response by the April 8, 2022 deadline, but, instead, "… a response will be forthcoming. …" at some unspecified future date.

[5] I now proceed to determine whether Ms. Anderson should be subject to court access restrictions pursuant to *Judicature Act* ss 23-23.1. I have elected to proceed to this step without waiting for Ms. Anderson's "response" because: 1) Ms. Anderson has provided no timeline for when she would provide her "response"; and 2) of Ms. Anderson's long record of taking steps to frustrate litigation before this Court.

[6] Beyond that, I believe I may fairly conclude, on a balance of probabilities, that, given there has been no sign of good faith conduct from Ms. Anderson, Ms. Anderson's response (if any did arrive) would be nothing but a further pseudolaw tactic intended to waste additional court and opponent resources. Ms. Anderson has been unrelenting in that pattern.

II. Submissions

[7] In its written submissions, Canada argues that Ms. Anderson is a clear candidate for court access restrictions. While Canada's submission focuses on Ms. Anderson's misconduct in relation to litigation where Canada is directly involved, Canada submits that is a fragment of a larger pattern of vexatious misconduct, and demonstrates Ms. Anderson globally refuses to accept Canadian legal and court authority.

[8] Canada provides documentation that shows Ms. Anderson has persistently and repeatedly deployed abusive OPCA strategies via court documents, and in other irregular materials not recognized by Canadian law. Ms. Anderson has employed OPCA materials taught by pseudolaw guru Christopher James Pritchard, who himself has copied his ideas from a US Sovereign Citizen named Carl Rudolph Lentz. Pritchard operates the "A Warrior Calls" website (https://awarriorcalls.com/). The Alberta Court of Queen's Bench and other Canadian courts have uniformly rejected Pritchard's claims. Ms. Anderson's attempts to use these concepts have only led to her repeated in-court failures, and elevated cost awards.

[9] Canada notes how Ms. Anderson has used OPCA strategies as "get out of jail free cards" in multiple criminal proceedings, but also counterattacked with Lentz-type lawsuits against Public Prosecution Service Canada [PPSC] and Canada Border Service Agency [CBSA] employees. More recently, Ms. Anderson has employed OPCA materials and correspondence from "Angelic Law" (http://www.angeliclaw.com/), that threatens Crown Prosecutors, judges, court officials, and CBSA staff with raids, financial penalties, and seizure of homes.

[10] This pattern of repeated, persistent refusal to acknowledge Canadian court and legal authority continues to the present. Ms. Anderson is now facing multiple criminal prosecutions, and arrest warrants. Rather than attend court, Ms. Japuncic's Affidavit attaches a January 24, 2022 email by Ms. Anderson that demands the "Penal sum" for her criminal matters:

> **Penal sum** or "penal amount" means the amount of money specified in a bond (or a percentage of the bid price in a bid bond) as the maximum payment for which the surety is obligated or the amount of security required to be pledged to the Government in lieu of a corporate or individual surety for the bond. [Emphasis in original.]

Counsel for Canada argues this "Penal sum" concept and Ms. Anderson's demands are unknown to Canadian law. I agree.

[11] Canada argues that the reported jurisprudence and documentary record for Ms. Anderson makes it plain that she has engaged in persistent, repeated, abuse of the Court. Ms. Anderson is a habitual, dedicated, OPCA litigant. Multiple court decisions have reached that same conclusion. Ms. Anderson has had the law explained to her, but has ignored that. Instead, Ms. Anderson has continued her use of pseudolaw to both purportedly defeat genuine legal processes, and counterattack against state and court actors. Ms. Anderson applies pseudolaw to also target PPSC Crown Prosecutors in non-court procedures; for example, via a complaint to the Canadian Anti-Fraud Centre that claimed legitimate state criminal proceedings against her were "Extortion, Fraud and Possible False Pretences under Criminal Code (R.S.C. 1985, c. C-46) sections 346(1), 366, 380, and 361(1)/362(1) respectively."

[12] Canada requests the interim court access restrictions against Ms. Anderson be made indefinite, and $2,000 in costs.

III. The Law

[13] The Alberta Court of Appeal in ***Jonsson v Lymer***, 2020 ABCA 167 [***Lymer***] ruled that the question of whether or not a person should be subject to prospective litigation gatekeeping pursuant to the *Judicature Act* ss 23-23.1 is a backwards looking exercise that focuses on the litigation record of an abusive litigant to evaluate whether that person has engaged in certain

forms of litigation misconduct, some that are itemized in *Judicature Act* s 23(2), and others that have been identified in case law. In Alberta, the broadly adopted ***Unrau #2*** decision provides a comprehensive review of the "indicia" of abusive litigation that potentially warrant court intervention. Court access restrictions are a "last ditch" step that may only be imposed after other litigation management approaches have failed, and when less intrusive alternatives, such as case management, are ineffective: ***Lymer***.

IV. Analysis

[14] I generally agree with and adopt the evidence, arguments, and conclusions advanced by Canada in relation to Ms. Anderson, and what should be this Court's response to her disruptive, abusive, dispute-related activities. In the interests of judicial economy, I will not conduct a comprehensive review of the Ms. Anderson's litigation. As explained by Stratas JA in ***Canada v Olumide***, 2017 FCA 42 at paras 35-40, when evaluating abusive litigants, "focused" evidence is necessary, rather than "... an encyclopedia of every last detail about the litigant's litigation history."

[15] In documentation before this Court, Canada has reviewed many aspects of Ms. Anderson's litigation misconduct, and I accept the substance of Canada's summary and characterization of Ms. Anderson's abusive OPCA conduct, as being accurate. Ms. Anderson is facing multiple criminal proceedings, that range from international horse smuggling, to illegally transporting fireworks on a passenger aircraft.

[16] Furthermore, I have previously reviewed Ms. Anderson's abuse of this Court and responding litigants in:

- ***Anderson v Ossowski***, 2021 ABQB 382, litigation struck out as an OPCA abuse of court, 2021 ABQB 428, elevated costs imposed 2021 ABQB 456, and
- ***Anderson (Re)***, 2022 ABQB 35.

I reaffirm my conclusions in those decisions, and that Ms. Anderson's abusive conduct is repeated, persistent, and relentless.

[17] Applying the principles from ***Canada v Olumide***, I highlight some specific instances of bad conduct that illustrates and demonstrates the severity and repeated pattern of Ms. Anderson's persistent abuse of the Court and other litigants, including:

1. Ms. Anderson's persistent and repeated OPCA-based attempts to disrupt court functions, unilaterally sabotage criminal proceedings against her, and to impose imaginary law via her own "do-it-yourself" vigilante court proceedings where she is a self-appointed "Prosecutor" of the "common law of the people ... Anderson Court".
2. Ms. Anderson's abusive conduct in estate dispute proceedings surrounding her father's estate. Ms. Anderson was initially represented (e.g. ***Anderson Estate (Re)***, 2016 ABQB 683), but later acted as a self-represented litigant. Ultimately, Ms. Anderson adopted OPCA strategies, claiming to be two separate legal entities, one "sock puppeting" the other. Ms. Anderson's refusal to participate in legitimate Canadian law proceedings delayed and frustrated resolution of that dispute.

3. Ms. Anderson has recently retained a person who purports to be a lawyer, Daniel Terry Lozinik, "private sovran attorney general", who operates "Angelic Law … a kind of unique boutique law firm". Lozinik is a known OPCA guru who sells false pseudolaw schemes that promise everything from no tax obligations, to "get out of jail free cards". Lozinik appeared at one of Ms. Anderson's many Provincial Court of Alberta criminal proceedings, and was ejected after attempting to disrupt that process. The British Columbia Supreme Court has granted an injunction against Lozinik, prohibiting him from engaging in unlicensed legal services: ***Law Society of British Columbia v Daniel Lozinik*** (26 January 2021), Vancouver S-211132 (BCSC). Lozinik has personally sent the Court pseudolaw documents as well, including a "NOTICE OF ISSUE" received on February 25, 2022, where the "Executor of daniel terry Lozinik Estate" arbitrarily redefined a criminal proceeding as an "Equity Matter". Lozinik currently faces multiple criminal charges, including obstructing RCMP, and illegal possession and careless use of firearms.

4. Ms. Anderson has forged subpoenas for witnesses to be compelled to appear in her Provincial Court of Alberta criminal proceedings, that were then struck out by this Court: ***Anderson (Re)*** at paras 8-11. The forged subpoenas invoke OPCA concepts, for example "Provide evidence of how the accused, SANDRA ANN ANDERSON, harmed or injured Queen Elizabeth II."

5. Ms. Anderson has persistently and repeatedly used "Strawman Theory", OPCA concepts that are so broadly acknowledged as false, that any attempt by Ms. Anderson to use Strawman Theory creates a presumption of bad faith conduct for her deploying Strawman Theory: ***Anderson (Re)*** at para 12. That continues to the present. The Court is well aware that the "Penal Sum" demand by Ms. Anderson is a Strawman Theory argument that Ms. Anderson can pay money from a secret bank account in the name of SANDRA ANN ANDERSON, and that "bond" payment will indemnify Ms. Anderson from any potential criminal liability. Ms. Anderson repeatedly and persistently employs Strawman Theory concepts drawn from the teachings of from multiple OPCA gurus, despite Ms. Anderson having been repeatedly cautioned and explained that these ideas have no merit and are not recognized by any court, in any jurisdiction, worldwide.

[18] While unnecessary as evidence to support my conclusion that Ms. Anderson requires prospective litigant management court access restrictions, I adopt the methodology and conclusion of Graesser J in ***AVI v MHVB,*** 2020 ABQB 489 at para 12, to evaluate OPCA litigation and litigants. On that basis, I note that Ms. Anderson is no longer simply an OPCA litigant, a consumer of products sold by pseudolaw gurus. Ms. Anderson has now graduated to join those ranks as a guru herself. In December, 2021, Ms. Anderson appeared in "Angelic Law" Youtube videos, where she and Lozinik jointly instructed customers on pseudolaw subjects, and conducted question and answer sessions on how to (purportedly) avoid paying income tax via legally false and absurd schemes. Ms. Anderson is no longer simply a consumer and practitioner of pseudolaw. She is a scammer of others as well, and has joined a malevolent and harmful pseudolaw leadership, who I, in ***Meads v Meads*** at para 669, denounced as "evil counsellors" and "falsifiers". The fact Ms. Anderson has escalated and deepened her pseudolaw activities from "student" to "teacher" is not a prerequisite for her to be subject to prospective court access

restrictions. What this development demonstrates is the degree to which Ms. Anderson is dedicated to, and has oriented her life around, these toxic non-law concepts. She is a committed pseudolaw adherent and proselytizer.

[19] Ms. Anderson's record establishes she has repeatedly and persistently abused the Court and a range of opposing parties in both civil and criminal proceedings. Ms. Anderson is an unrepentant OPCA litigant. Ms. Anderson intentionally ignores and denies her obligations under the law, but, instead, unilaterally imposes her own (false) rules, where she is the one who (purportedly) holds the power. Ms. Anderson is the "Prosecutor" of those who do not follow her demands, which includes any Canadian who offends her, or who does not bow to Ms. Anderson's self-proclaimed authority.

[20] Consistent with her false and absurd Strawman Theory beliefs, Ms. Anderson self-identifies with a range of pseudolaw false names: e.g. "woman: Sandra of the Anderson family", "Sandra of the Anderson family", "Sandra Ann Anderson, Executor of the SANDRA ANN ANDERSON ESTATE". Ms. Anderson uses false names, including entities who are allegedly not her, to evade court, legal, and criminal obligations. That is also a strategy she has used to frustrate court processes.

[21] This abusive litigant cannot be effectively managed by procedural steps. Case management was tried and failed in her father's estate matters. Ms. Anderson would simply not agree to cooperate with those processes, and ignored orders with which she did not agree. Ms. Anderson's response to criminal proceedings against her is to set up her own vigilante court and attack state and Crown officials. When Ms. Anderson received a court order she did not like, she rejected it, writing across the court order - "Contract declined" - with a red felt marker: ***Anderson v Ossowski***, 2021 ABQB 456 at Appendix "A".

[22] In short, Ms. Anderson is an unmanageable abusive litigant who cannot be expected to conform to any court order, legislation, or the *Alberta Rules of Court*. She claims to know and enforce a separate, superior law, that she attempts to apply whenever and wherever she likes. As such, prospective court access restrictions are the only remaining tool that could possibly mitigate Ms. Anderson's abuse of the Alberta Court of Queen's Bench. I, therefore, conclude that Canada's Application should be granted.

[23] This Court finds that Ms. Anderson is a "vexatious litigant", and orders that Ms. Anderson is subject to court access restrictions pursuant to *Judicature Act*, ss 23-23.1:

1. The Interim Court Access Restriction Order dated January 13, 2022 in Alberta Court of Queen's Bench docket 2201 00398 is vacated, immediately.

2. Sandra Ann Anderson is prohibited from commencing, or attempting to commence, or continuing, any appeal, action, application, or proceeding in the Alberta Court of Queen's Bench, on her own behalf or on behalf of any other person or estate, without an order of the Chief Justice or Associate Chief Justice of the Alberta Court of Queen's Bench, or her or his designate.

3. To commence or continue an appeal, application, or other proceeding in the Alberta Court of Queen's Bench, Sandra Ann Anderson must first submit an application to the Chief Justice or Associate Chief Justice, or her or his designate. If such an application is made:

(i) The Chief Justice or Associate Chief Justice, or his or her designate, may, at any time, direct that notice of an application to commence or continue an appeal, action, application, or proceeding be given to any other person.

(ii) Any application shall be made in writing.

(iii) Any application to commence or continue any appeal, action, application, or proceeding must be accompanied by an affidavit:

a) attaching a copy of the Order arising from this decision that restricts Sandra Ann Anderson's access to the Court of Queen's Bench of Alberta;

b) attaching a copy of the appeal, pleading, application, or process that Sandra Ann Anderson proposes to issue or file or continue;

c) deposing fully and completely to the facts and circumstances surrounding the proposed claim or proceeding, so as to demonstrate that the proceeding is not an abuse of process, and that there are reasonable grounds for it;

d) indicating whether Sandra Ann Anderson has ever sued some or all of the defendants or respondents previously in any jurisdiction or Court, and, if so, providing full particulars;

e) undertaking that, if leave is granted, the authorized appeal, pleading, application or process, the Order granting leave to proceed, and the affidavit in support of the Order will promptly be served on the defendants or respondents; and

f) undertaking to diligently prosecute the proceeding.

(iv) The Chief Justice or Associate Chief Justice, or his or her designate, may:

a) require the applicants for leave, or the Court on its own motion, to give notice of the proposed claim or proceeding and the opportunity to make submissions on the proposed claim or proceeding, if they so choose, to:

(1) the involved potential parties;

(2) other relevant persons identified by the Court; and

(3) the Attorneys General of Alberta and Canada;

b) respond to and dispose of the leave application in writing; or

c) hear and dispose of the leave application in open Court where the decision shall be recorded.

4. For clarity, this order does not prevent Sandra Ann Anderson from taking any steps required to make full answer and defence to any criminal proceeding brought against her, or to appeal any verdict in a criminal matter.

5. Leave to commence or continue proceedings may be given on conditions, including the posting of security for costs, and proof of payment of all prior cost awards.

6. An application that is dismissed may not be made again, directly or indirectly.

7. An application to vary or set aside this Order must be made on notice to any person as directed by the Court.

8. Sandra Ann Anderson must describe herself in any application for leave, or document to which this Order applies, as "Sandra Ann Anderson", and not by using initials, an alternative name structure, or a pseudonym.

9. The Clerks of the Court of Queen's Bench of Alberta shall refuse to accept or file any documents or other materials from Sandra Ann Anderson unless:

   (i) Sandra Ann Anderson is a named defendant or respondent in the action in question, or

   (ii) if the documents and other materials are intended to commence or continue an appeal, action, application, or proceeding, Sandra Ann Anderson has been granted leave to take that step by the Court.

V. Conclusion

[24] Ms. Anderson is a vexatious litigant, and is subject to global prospective court access gatekeeping in the Alberta Court of Queen's Bench.

[25] Canada has been entirely successful in this Application, and is due costs pursuant to *Rule* 10.29. I order that the Ms. Anderson pay Canada $2,000 in costs, forthwith.

[26] I am aware that Mr. Anderson is unlikely to agree with this Decision. Mindful of the ***Pintea v Johns***, 2017 SCC 23 instruction that Canadian judges shall provide information on litigation alternatives to SRLs, if Ms. Anderson seeks to challenge her being subject to prospective court access restrictions, then the appropriate procedure is an appeal with the Alberta Court of Appeal. I further warn that Ms. Anderson attempting to counteract or nullify this Decision via magical pseudolaw documents will only result in those materials being rejected. Ms. Anderson should be aware that this Court now responds to abuse of its leave to file process with penalties pursuant to *Rule* 10.49(1).

[27] Counsel for Canada shall prepare the Order giving effect to this judgment. Ms. Anderson's approval of that Order is dispensed with, pursuant to *Rule* 9.4(2)(c). This Decision and the corresponding Order may be served upon Ms. Anderson by email to: andersonasandra@gmail.com.

Dated at the City of Calgary, Alberta this 26th day of April, 2022.

J.D. Rooke
A.C.J.C.Q.B.A.

Appearances:

Cameron G. Regehr

for the Applicant Attorney General of Canada