

Form 2
NOTICE OF APPEAL

ONTARIO
SUPERIOR COURT OF JUSTICE

(Criminal Code, sections 813 or 830 and
Criminal Proceedings Rules, Rule 40)

22-A8288

Court File No. (if known)

East

Region

BETWEEN:

HIS MAJESTY THE KING

appellant/respondent

- and -

EVAN BLACKMAN

(specify name of accused)

appellant/respondent

TAKE NOTICE that EVAN BLACKMAN

(indicate the name of the accused or name of the informant,

or the Attorney General of **Ontario**, on behalf of His Majesty the King)

appeals against the

(specify: conviction, order or sentence (subparagraphs 813(a)(i), (ii)), order staying proceedings, order dismissing an information, or sentence (subparagraphs 813(b)(i), (ii)) or conviction, judgment or verdict of acquittal or other final order or determination (subsection 830(1))

acquittal of the Respondent with respect to counts 1 and 2 and 4 (mischief contrary to s. 430(1)(d) and 430(1)(c) and obstruct contrary to s. 129(a) of the Criminal Code, respectively)

(list offences)

made by His (or Her) Honour Judge **Crewe** of the Ontario Court of Justice

at **161 Elgin Street, Ottawa**, Ontario, on **October 23**, 20 **23**.
(specify date)

THE DATES UPON WHICH THE SUMMARY CONVICTION COURT HEARD EVIDENCE ARE AS FOLLOWS:

October 23, 2023, #12 Court

(specify all dates upon which evidence was heard)

NOTICE OF APPEAL*(Criminal Code, sections 813 or 830 and Criminal Proceedings Rules, Rule 40, Form 2)***THE GROUNDS FOR THIS APPEAL ARE:**

1. That

(indicate grounds for appeal, taking into consideration the statutory bases for appeal granted by the provision under which the appeal is instituted (i.e. the necessity of demonstrating error in point of law, excess of or refusal or failure to exercise jurisdiction if the appeal is brought under subsection 830(1))

The trial judge erred in law in his analysis of the Respondent's liability as a party to the mischief committed in Ottawa from January 28 to February 19, 2022 pursuant to s. 21(1) and 21(d) of the Criminal Code;

2. That

The trial judge erred in law in his analysis of the intent required to prove liability to the offence of obstruct.

3. Such further and other grounds as counsel may advise and this Honourable Court may permit.

ON THE HEARING OF THIS APPEAL, THE APPELLANT WILL RELY UPON THE FOLLOWING:

1. **The transcript of the proceedings, the Appellant's Appeal Book, Factum, and Book of Authorities**

(set out documents such as transcripts, etc., upon which the appellant relies)

THE RELIEF SOUGHT IS:

1. An Order allowing the appeal
and substituting a conviction on counts 1, 2 and 4 or ordering a new trial

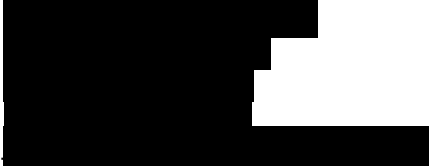
NOTICE OF APPEAL

(Criminal Code, sections 813 or 830 / Criminal Proceedings Rules, Rule 40, Form 2)

THE APPELLANT MAY BE SERVED WITH DOCUMENTS PERTINENT TO THIS APPEAL:

1. By service in accordance with rule 5, through

Ottawa Crown Attorney's Office



(specify address and fax number)

DATED at **Ottawa**, Ontario,

on this **30th** day of **October**, 20 **23**.

A handwritten signature in cursive script that reads "John Wright".

Signature of appellant or solicitor

John Wright Assistant Crown Attorney
Ottawa Crown Attorney's Office



(set out name and address, as well as telephone and fax numbers)

**Form 3
BACKSHEET**

22-A8288
Court File No.

SUPERIOR COURT OF JUSTICE

HIS MAJESTY THE KING

- and -

EVAN BLACKMAN

(name of **respondent**)

Notice of Appeal, Form 2

(*Criminal Proceedings Rules*, Form 3)

**John Wright Assistant Crown Attorney
Ottawa Crown Attorney's Office**

