

SUPREME COURT OF CANADA

(ON APPEAL FROM THE ONTARIO DIVISIONAL COURT (OTTAWA))

B E T W E E N :

ALLAN DOUGLAS WILSON

Applicant

- and -

OTTAWA POLICE SERVICE BOARD (OPSB), THE OTTAWA HOSPITAL (TOH),
CANADIAN JOINT OPERATIONS COMMAND (CJOC)

Respondents

APPLICANT’S REPLY TO THE RESPONSE OF THE RESPONDENT, OTTAWA
POLICE SERVICE BOARD
(Motion to Adduce New Evidence)

PART I: OVERVIEW

1. This Reply is submitted by the Applicant, Allan Douglas Wilson, in direct response to the letter-response of the Respondent, Ottawa Police Service Board ("OPSB"), dated July 16, 2026.
2. The Respondent’s opposition to the admission of the new medical evidence is legally and factually untenable. It rests on technical mischaracterizations of the diagnostic imaging, an incorrect application of the *prima facie* evidence rule, and a persistent attempt to shield itself from Charter accountability through void jurisdictional arguments.
3. The Applicant respectfully requests that this Honourable Court reject the Respondent's submissions and grant leave to adduce the new medical evidence.

PART II: REPLY ARGUMENT

The Prima Facie Sufficiency of the Evidence and the AI-Powered Diagnostic Scan

4. The Respondent focuses almost exclusively on the technical form of the radiographic report to assert that it is "inadmissible opinion evidence" under Rule 53.03 and *White Burgess*. This argument is fundamentally flawed.

5. With respect to the Scope of Objection:

(a) The Respondent does not question the physical validity of the underlying Cone Beam Computed Tomography (CBCT) scan itself.

(b) Rather, they target the text of the accompanying report.

(c) This suggests that the OPSB either lacks the clinical resources to evaluate a raw 3D maxillofacial scan or has realized that the physical data is entirely unfavourable to their legal position.

6. With respect to the Provenance of the Report:

(a) The Respondent incorrectly presumes that the radiographic report was authored by a human medical specialist who was required to sign a standard expert witness affidavit.

(b) In reality, the detailed radiographic report was automatically generated by CT Read, an advanced, internationally recognized AI-powered diagnostic platform.

(c) This platform is specifically engineered to analyze maxillofacial CBCT scans and interpret high-resolution digital imaging to identify structural abnormalities.

7. Under the *prima facie* evidence rule, evidence is deemed sufficient to establish a fact on its face unless the opposing party brings forward contradictory evidence. The Applicant has provided:

(a) A sworn and signed personal Affidavit.

(b) A physical, signed "Dental Diagnostic Certificate" from the clinical provider (Dental Express Diagnostic Inc. / DentEx) proving the scan took place.

(c) The objective digital CBCT scan imaging displaying the physical metallic structures.

8. The Respondent has submitted "zero contradictory medical evidence" and "no valid defense" to refute the physical presence of these non-medical metallic structures in the Applicant's sinuses. Under the *prima facie* rule, the presence of the bilateral zygomatic implants stands uncontested.

9. With respect to Resource Disadvantage and Hardship:

(a) The Applicant has been unable to secure a standard human specialist report because the ENT surgeon who performed his 2021 nasal surgery is on vacation until August 2026.

(b) Furthermore, due to severe ongoing economic hardship and a lack of health insurance, the Applicant completely lacks the financial resources required to retain an independent medical expert to execute formal court certificates at this interlocutory stage.

The Jurisdictional Realities and the Void Divisional Court Determination

10. The Respondent repeats its argument that the Applicant committed an "abuse of process" by filing an application for judicial review in the Divisional Court rather than a statutory appeal under s. 6(1)(b) of the Courts of Justice Act:

11. With respect to Divisional Court Jurisdiction:

(a) The Divisional Court holds express statutory jurisdiction to review decisions made without an evidentiary basis and for clear errors of law.

(b) The originating judge failed entirely to apply the mandatory disjunctive test under Rule 2.1.01 and offered no evidentiary basis to support the summary dismissal.

(c) This met the exact criteria for judicial review, which was explicitly brought under the Judicial Review Procedure Act (JRPA).

12. With respect to the "Void" Order Doctrine:

(a) Because the Divisional Court judge failed to recognize jurisdiction under JRPA while using the Honourable Court's jurisdiction to dismiss, the resulting order was *void ab initio*.

(b) A void determination is a legal nullity.

(c) It is a well-established principle of law that a void order cannot form the basis of a valid statutory appeal route.

13. With respect to No Valid Statutory Appeal:

(a) The "statutory right of appeal" to the Court of Appeal for Ontario asserted by the OPSB never legally existed because the order from which it would have emanated was void and non-final.

(b) The appeal court has no jurisdiction to review a nullity.

14. The Respondent is actively attempting to reverse the burden of proof, ignoring the jurisdictional arguments raised in the Applicant's reply, and using procedural mechanisms to immunize themselves from Charter accountability, a tactic explicitly barred by this Court in *Yatar v. TD Insurance Meloche Monnex*, 2024 SCC 8.

Public Importance and the Misapplication of Aecon Buildings

15. The Respondent relies heavily on *Aecon Buildings v Stephenson Engineering Ltd.*, 2011 SCC 33, at para 4, to argue that affidavit evidence is not helpful in establishing public importance:

16. With respect to Blanket Assertions Without Reasoning:

(a) The Respondent offers this case law as a blanket statement, providing no actual explanation, reasoning, or legal analysis as to why the present appeal lacks public importance.

17. With respect to Distinction from *Aecon*:

- (a) In *Aecon*, the Court noted that affidavit evidence is generally unhelpful when it merely asserts legal opinions on why a case is of public importance.
- (b) The new evidence in the present case is "not" an opinion on public importance; it is "material, factual, and objective diagnostic evidence" that proves the physical existence of involuntary, state-sponsored tracking implants.

18. With respect to Constitutional and Precedent Importance:

- (a) The factual existence of these unconsented implants directly underpins the Applicant's unprecedented Charter claims under ss. 7, 15, and 24(1) involving state-sponsored human experimentation and the testing of conducted energy weapons (Tasers).
- (b) Deciding whether a citizen can be summarily barred from presenting objective medical proof of state-sponsored bodily intrusion is a constitutional matter of the highest public and jurisprudential importance.

Preponderance of Evidence by Failure to Refute

19. With respect to Failure to Deny the Substantive Facts:

- (a) The Respondent's letter-response focuses entirely on technicalities regarding the AI report's signature block.
- (b) Crucially, "the Respondent does not deny or refute any of the substantive facts" set out in the Applicant's sworn Affidavit, nor do they address the grave implications regarding non-consensual tracking and Charter violations.

20. With respect to Legal Concession:

- (a) By failing to deny the physical existence of the implants displayed in the CBCT scan, and failing to bring any contradictory clinical evidence despite having every opportunity to do so, the Respondent has effectively admitted to the preponderance of the Applicant's evidence.

PART III: ORDER SOUGHT

21. The Applicant respectfully requests that this Honourable Court:

- (a) REJECT the submissions of the Respondent, Ottawa Police Service Board;
- (b) GRANT the Applicant leave to adduce the new medical evidence, including the CBCT scan, the DentEx Diagnostic Certificate, and the accompanying diagnostic reports; and
- (c) GRANT the costs of this motion to the Applicant and associated costs.

Dated at Balamban, Cebu this 17th day of July, 2026.

SIGNED BY: 

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