

Man who sues Government for \$100 billion loses Appeal

Robert H. Nelson, a B.C. man who attempted to sue the government for \$100 billion in damages, has been denied leave to appeal with the Supreme Court of Canada. The Court dismissed the case without reasons.

Nelson had repeatedly petitioned the courts for the past 20 years to appeal his 1984-1987 tax assessments and reassessments. During one such attempt, the court rebuked Nelson for attempting to subpoena the sitting Prime Minister and Minister of Justice, Jean Chretien and Anne McLellan, respectively. The court called the behaviour “scandalous” and “outrageous,” since the witnesses had “no connection to the cause of action.” [1]

Superior Court of Justice

At the Ontario Superior Court of Justice, the plaintiff claimed damages arising from Revenue Canada assessments of his income taxes in British Columbia in the 1980s. The plaintiff wanted compensation for a number of allegations, including Revenue Canada’s failure to reassess the plaintiff’s income, the confiscation of the plaintiff’s property, as well as false imprisonment and torture. The plaintiff sought monetary damages amounting to over \$100 billion, an order that Prime Minister Stephen Harper resign, and permission to initiate criminal charges of theft against various government officials. The government defendants asked the court to dismiss the claims, arguing that the claims were vexatious and without merit.

The defence was successful in arguing that the claim should be struck in its entirety. First, the court said that the plaintiff had no connection to try the case in an Ontario court. All the alleged causes of action occurred in British Columbia. Second, these claims were an attempt to litigate actions already settled by courts. The court listed 20 cases involving the plaintiff. Finally, the plaintiff did not employ any facts to support a cause of action. [2]

Court of Appeal

The Ontario Court of Appeal dismissed Nelson’s appeal, simply stating that his “appeal matters ... have repeatedly been dealt with by courts in British Columbia and by the Federal Court. This proposed appeal is frivolous and an abuse of process.” [3]

Supreme Court of Canada

The Supreme Court dismissed the appeal from the Ontario Court of Appeal on July 10, 2008 without reasons. [4]

[1] [Nelson v. Canada \(Minister of Customs and Revenue Agency\)](#), 2001 FCT 843.

[2] [R. v. Nelson](#), 2007 CanLII 27964 (ON S.C.J.).

[3] [Nelson v. R.](#), 2008 ONCA 289 (CanLII).

[4] Robert H. Nelson (Pauper) v. Her Majesty the Queen Elizabeth the Second as represented by the Prime Minister of Canada Right Hon. Stephen Harper and Minister of National Revenue Hon. Carol Skelton, [2008] S.C.C.A. No. 178.