

BRITISH COLUMBIA PROVINCIAL COURT
for *Vancouver B.C.*

BETWEEN:

Dev_Typ

PETITIONER

AND:

British Columbia Sheriff's Service

DEFENDANT

Place of Hearing: Vancouver, B.C.

Date of Hearing: 02/17/2022

Date of Judgement: 02/27/2022

REASONS FOR JUDGEMENT

OF THE

HONOURABLE JUDGE Doulx

Counsel for the Petitioner: N/A

Counsel for the Defendant: Ryanepicgajer

INTRODUCTION

On the 5th February 2022, the petitioner, who shall be defined as “Dev_typ”, filed a civil lawsuit against the Defendant, who shall be defined as the “British Columbia Sheriff’s Service.” The Petitioner filed the case on the grounds of “Right to Challenge Disciplinary Action”. In the

Petitioner's Notice of Claim, they argued the Defence violated Section 3.2 of the 'ERA of 2021' (Employee Rights Act) and Section 3.7 of the 'ERA of 2021'. The Petitioner sought relief of a reinstatement to their former positions within the British Columbia Sheriff's Service and that any investigations before the termination be declared void and dropped. Within the Defence's reply, the Defendant denied all claims set before via the Petitioner's Notice of Claim. As the court heard any/all pretrial motions from the Petitioner and/or the Defence, the Defence filed for a Motion to Dismiss on the grounds the case was filed after the Statute of Limitations, a 90 day period of which a civil case must be filed from the date the incident occurred.

CONCLUSION

Within the Defendant's Motion to Dismiss, they claimed the case was filed on the 13th of January 2022 which was proved via photographic evidence. After being questioned by myself, Senior Judge Doulx, the Petitioner stated that the incident occurred on "10/16" - the 16th October 2021. As per the Statute of Limitations Act 2021, it states "The civil statute of limitations shall be 90 days". This therefore proves the case is in violation of the act. Upon this, as per the request of the Defendant, the case is hereby dismissed with prejudice due to this case being in breach of the Statute of Limitations act of 2021.

02/27/2022 @ 20:30GMT

DATE AND TIME ISSUED

DOULX

JUDGES SIGNATURE