

**FEDERAL COURT OF CANADA**

BETWEEN:

**Radu Hociung**

Plaintiff

and

**Minister of Public Safety and Emergency Preparedness  
and  
Canada Border Services Agency  
and  
Her Majesty the Queen in Right of Canada**

Defendants

**LETTER TO THE COURT  
Re: Appeal on recusal order dated June 16, 2020**

Radu Hociung  
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Kitchener, Ontario  
N2E 2B1  
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**TO:**

The Registrar  
Federal Court of Canada  
180 Queen Street West  
Suite 200  
Toronto, Ontario  
M5V 3L6

**AND TO (by email):**

Derek Edwards, Counsel to the Defendant  
DEPARTMENT OF JUSTICE  
Ontario Regional Office  
120 Adelaide Street West  
Suite 400  
Toronto, Ontario  
Tel: (647) 256-7493  
Fax: (416) 973-5004

June 26, 2020

**Mr. Justice Gleeson,**

Pursuant Rule 397(1), this a request to reconsider your order dated June 16, 2020, on the ground that you have overlooked the following matters:

1. A motion for recusal is a motion for a contempt order pursuant Rule 466(d) and 467.
2. Evidence on a motion for a contempt order must be oral, pursuant Rule 470(1)
3. The Applicant on a Motion for a contempt order is the person who has an interest in the T-1450-15 proceeding (in this case, the Plaintiff)
4. The Respondent on the Motion is in this case, you, as the officer of the court who is alleged to have failed to perform your duty.
5. An order for recusal would be an order to you. You are a party to the motion, and per the principle of natural justice *Nemo iudex in causa sua*, you cannot be the judge on this motion.
6. A motion for a contempt order, having a different style of cause than the proceeding T-1450-15 is a new proceeding in the Federal Court.

The Plaintiff requests:

1. That you withdraw your order, on grounds that it violates the *Nemo iudex in causa sua* principle, and is therefore invalid.
2. Direct the Registrar to file the motion as a new proceeding, with the style of cause "Radu Hociung and Patrick Gleeson". The motion must be heard by the Federal Court, who must make an order to you, pursuant Rule 467(1) to appear before a judge, be

prepared to hear proof, and present your defence.

Under duress,

A handwritten signature in black ink, appearing to read 'R Hociung'. The signature is fluid and cursive, with the first letter 'R' being large and stylized, followed by 'H', 'o', 'c', 'i', 'u', 'n', 'g'.

Radu Hociung - Plaintiff