

Court file number:

**IN THE SUPREME COURT OF CANADA**  
**(ON APPEAL FROM THE COURT OF APPEAL OF ONTARIO)**

BETWEEN:

**INFANT NUMBER 10968, also known as  
D. MARIE MARCHAND**

Applicant  
(on application for leave)

and

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO,  
CATHOLIC CHILDREN'S AID SOCIETY OF TORONTO**

Respondents  
(Respondents)

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**MOTION TO A JUDGE FOR AN EXTENSION OF TIME**  
**(Section 59(1) of the *Supreme Court Act* and Rule 47 of the *Supreme Court of Canada*)**

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Application under *Canadian Charter of Rights and Freedoms*, Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (U.K.), 1982, C.11

TAKE NOTICE that Infant Number 10968, also known as, D. Marie Marchand, applies to a Judge or the Registrar pursuant to section 47 of the *Rules of the Supreme Court of Canada*, for an order extending the time within which to serve the Notice of Application for Leave to the Supreme Court of Canada;

- 1) The affidavit of D.Marie Marchand, sworn January 28, 2008.

TAKE FURTHER NOTICE that motion be made on the following grounds:

- 1) The Applicant is self- represented and in the interest of justice needs further time;

2) Under the discretion of the Supreme Court or a judge thereof under rule 59(1), may under special circumstances, either before or after the expiration of a time period prescribed by section 58, extend that time period.

or such further orders as the Judge or Registrar deem appropriate.

IN SUPPORT OF THIS MOTION, the Applicant relies upon the following:

1. Affidavit of the Applicant

DATED at Toronto, Ontario this     day of     2008

SIGNED BY \_\_\_\_\_

D.Marie Marchand  
227 Sterling Road,Suite 101  
Toronto, Ontario, M6R 2B2

Tele: 416 538 0224

Applicant acting in person

ORIGINAL TO:

THE REGISTRAR,  
The Supreme Court of Canada  
301 Wellington Street  
Ottawa, Ontario, K1A 0J1

TO:           MINISTRY OF THE ATTORNEY GENERAL  
Crown Law Office – Constitutional Law Branch  
720 Bay Street, 8th floor  
Toronto, Ontario M5G 2K1  
Zachary Green  
Tel: (416) 326-8517  
Fax: (416) 326-4015

Solicitors for the respondent Her Majesty the Queen in Right of Ontario

AND TO: CATHOLIC CHILDREN'S AID SOCIETY OF TORONTO  
26 Maitland Street  
Toronto, Ontario M4Y 1C6  
Helen Murphy  
Tel: (416) 395-1593  
Fax: (416) 395-1676

Solicitors for the respondent Catholic Children's Aid Society of Toronto

NOTICE TO THE RESPONDENT TO THE MOTION: A respondent to the motion may serve and file a response to this motion within 10 days after service of this motion. If no response is filed within that time, the motion will be submitted for consideration to a Judge or Registrar, as the case may be.

If the motion is served and filed with the supporting documents of the application for leave to appeal, then the Respondent may serve and file the response to the motion together with the response to the application for leave.