

## Supreme Court Rules 1937—Form 6.5

(see o 86 r 12)

### Notice of motion for leave to appeal out of time from final judgment of Court

In the Supreme Court of the Australian Capital Territory  
Court of Appeal

ACTCA No                      of (*year*)

Judgment of (*Judge/Master*) (SC No                      of (*year*))

(*name*)  
Applicant

(*name*)  
Respondent

Take notice that the Court of Appeal will be moved on [*date*] at [*time*] (or as soon after that as this motion can be heard) for the following orders:

- 1        That the applicant have leave to appeal out of time from the judgment of [*Judge/Master*] given on [*date*].
- 2        Any other orders that the Court considers appropriate.

A notice of appeal [*\*will not be/\*has not been*] filed in the Court of Appeal within 21 days after the day the judgment was given.

The grounds of the application are set out in the affidavit of [*name*] [*\*sworn/affirmed*] on [*date*] and filed with this notice.

*[if the Supreme Court Rules 1937, o 86 r 12 (2) applies]* The applicant wants to present the applicant's case in writing.

Date:

Signature of \*applicant/\*applicant's solicitor:

Address for service:

**To: the Registrar**

**And to: the respondent**

*[respondent's name and address]*

**Notice to respondent—entry of appearance**

Before taking any further step in this proceeding, you must enter an appearance in the registry.

*\*Strike out if inapplicable*

## Endnote

- 1 This form was originally in the *Supreme Court Rules 1937*. Under the *Court Procedures Act 2004* A2004-59, pt 8, the form became a form approved under that Act.

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