

Form 5.23 **Court of Appeal—application for reference appeal**

Court Procedures Rules 2006

(see r 5771 (Reference appeals to Court of Appeal—application for reference appeal))

In the Supreme Court of the Australian Capital Territory

Court of Appeal

Criminal jurisdiction

No ACTCA of (*year*)

Appeal from Justice (*name of judge*)

No SC of (*year*)

(*name*)

Applicant

(*name*)

Interested *[Party/Parties]

Grounds

(*state the grounds of the application*)

Question of law to be decided

(*state the question(s) of law to be decided*)

(*if r 5771 (2) applies*)

***[Written case**

The applicant wants to present the applicant's case in writing.]

Filed for the applicant by:

(*the applicant's address for service and telephone number*)

Applicant's address for service of documents

Business address:

*Document exchange box no:

*Postal address:

*Fax:

*Email address:

Date:

(signature of applicant/applicant's solicitor)

(name of applicant/applicant's solicitor)

Notice to interested party

To: *(interested party and address)*

You may file in the Court a notice of intention to respond.

If you file a notice of intention to respond, you must serve a sealed copy of the notice on the applicant on the day it is filed in the Court (see r 5773).

If you are not represented by a legal practitioner, counsel instructed by the applicant will appear for you and file a notice of intention to respond.

Settling appeal papers

A directions hearing for settling the appeal papers will be held as follows:

Time: *(date and time to be entered by Registrar)*

Place: Supreme Court, Knowles Place, Canberra City, ACT

If you do not attend to settle the appeal papers, either in person or by your lawyer, directions may be given, and orders made, in your absence.

- Note 1* Before the date set for settling the appeal papers, the appellant must—
- (a) get and file the reasons for the order or the summing up of the judicial officer of the court who gave the order appealed from, certified by the judicial officer's associate; and
 - (b) get and file a copy of the transcript of the proceeding in which the order was made and, if corrected, certified by the registrar; and

(c) prepare and file a case summary (see r 5775 and r 5430 (1)).

Note 2 Before the date set for settling the appeal papers, the appellant must also prepare and file a draft index of the appeal papers (see r 5775 (2)).

Date:

(signature of Registrar)

Registrar

**omit if, or whichever is, inapplicable*