

<p><b>To be inserted by Court</b></p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
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<p><b>Hearing Date and Time:</b></p> <p><b>Hearing Location:</b></p>
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**ORIGINATING APPLICATION TO FIX A NON-PAROLE PERIOD**  
 Sentencing Act 2017 s 47(3)

[SUPREME/DISTRICT/MAGISTRATES/ENVIRONMENT RESOURCES AND DEVELOPMENT] Select one COURT OF SOUTH AUSTRALIA CRIMINAL JURISDICTION

**[FULL NAME]**  
**Applicant**

v

**[FULL NAME]**  
**Respondent**

Applicant			
Authorising individual <small>If applicant ant is not an individual and not represented by a law firm/office</small>			
Name of law firm/office <small>If applicable</small>	Law firm/office	Responsible Solicitor	
Address for service	<small>Street Address (including unit or level number and name of property if required)</small>		
	City/town/suburb	State	Postcode
	Country		
	<small>Email address</small>		
Phone Details	<small>Type (eg. home; work; mobile) – Number</small>		
Applicant's References	<small>Reference number - optional</small>		<small>Other number - optional</small>

Provision for multiple

Respondent	Full Name (including Also Known as)		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Type (eg. Home; work; mobile) – Number		Another number (optional)

### Application details

This Application is for a non-parole period to be set in relation to the sentence[s] of imprisonment/detention select one being served by the original Defendant [*full name*] ('the Subject').

This Application is made under section 47(3) of the *Sentencing Act 2017*.

The original Order the subject of this application was made on [*date*] in case number [*enter case number*] by the [*enter name of court*] Court of South Australia.

The Applicant seeks an order that a non-parole period be set in relation to the sentence[s] of imprisonment/detention select one being served by the Subject.

This Application is made on the grounds Mark appropriate selection below with an 'x'

- set out in the accompanying Affidavit sworn by [*full name*] on [*date*].
- that:
1. the Subject is serving
    - a term of [*imprisonment/detention*] select one of 12 months or more.
    - a number of terms of [*imprisonment/detention*] under which the Subject is liable to [*imprisonment/detention*] select one for 12 months or more.
  2. the Subject's [*imprisonment/detention*] select one commenced on [*enter date*] and the Subject has served [*enter amount of time served in years, months, weeks, days*]
  3. The Subject is not liable to serve the sentence[s] in the community while subject to an Intensive Correction Order.
  4. the Subject's sentence[s] of [*imprisonment/detention*] select one [*is/are*] select one not subject to an existing non-parole period.
  5. [*enter other grounds*].

### To the Other Parties: WARNING

Next paragraph only applicable if Supreme Court

This Application will be considered at the hearing at the date and time set out at the top of this document.

Next paragraph only applicable if jurisdiction other than Supreme Court

This Application will be considered at a hearing to be convened by the Court. You will receive a notice of hearing with details of the location, date and time of the hearing.

If you wish to oppose the Application or make submissions about it:

- **you must go to the hearing** and

- if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders you **must** file and serve on all parties an affidavit before the hearing date.

If you do not do so, the Court **may proceed in your absence** and orders may be made **finally determining** this application without further warning.

**To the original Defendant the subject of the original sentence: WARNING**

You **must** go to the hearing or have a lawyer go for you to make submissions in support of/response to this Application.

If you are in custody, arrangements can be made for you to appear before the Court in person or via audiovisual link on the day of the hearing. You should inform the Court Registry whether you wish to appear in person or by audiovisual link.

**Service**

The party filing this document is required to serve it on all other parties in line with the Rules of Court.

**Accompanying Documents**

Accompanying this Application is a

- Supporting Affidavit optional
- If other additional document(s) please list them below: