

To be inserted by Court

Case Number:

Date Filed:

FDN:

NOTICE OF CROSS APPEAL AGAINST CONVICTION, ACQUITTAL, ANTECEDENT DECISION OR MENTAL IMPAIRMENT JUDGMENT

SUPREME COURT OF SOUTH AUSTRALIA
COURT OF APPEAL Select only if applicable
CRIMINAL JURISDICTION

[FULL NAME]
Appellant

v

[FULL NAME]
Respondent

Lodging party	Party title	Full name of party		
Name of law firm/office				
<small>If applicable</small>	<small>Law firm/office</small>	<small>Responsible Solicitor</small>		
Name of authorised officer				
<small>If body corporate and no law firm/office</small>	<small>Full name</small>			
Address for service	<small>Street Address (including unit or level number and name of property if required)</small>			
	<small>City/town/suburb</small>	<small>State</small>	<small>Postcode</small>	<small>Country</small>
	<small>Email address</small>			
Phone Details	<small>Type (eg. Home; work; mobile) - Number</small>			

Cross Appeal Details

The Cross Appellant seeks leave to appeal and/or appeals to

- the Court of Appeal
 a single Judge

against the judgment or decision identified below.

- This is an application for permission to appeal and/or appeal by *[Defendant/Youth]* Select one against
- conviction/finding of guilt without recording a conviction.
 a refusal of application for stay on abuse of process ground.

- a decision
- that the [*Defendant/Youth*] is mentally fit to stand trial
 - that the [*Defendant/Youth*] is mentally competent to commit the offence[s] charged
 - objective elements of offence established against the [*Defendant/Youth*]
 - to declare the [*Defendant/Youth*] liable to supervision
- This is an application for permission to appeal and/or appeal by the prosecution against
- an acquittal.
 - a grant of stay on abuse of process ground.
 - a decision
 - that the [*Defendant/Youth*] is not mentally fit to stand trial
 - that the [*Defendant/Youth*] is not mentally competent to commit the offence[s] charged
 - objective elements of offence not established against the [*Defendant/Youth*]
 - not to declare the [*Defendant/Youth*] liable to supervision

This cross appeal is brought under [*enter Act and section or other particular provision*].

Judgment subject of cross appeal

Date of [*judgment/Antecedent decision*]: [*date*].

Court: [*Supreme/District/Magistrates/ERD Court/Youth Court/South Australian Employment Court/other*]. Select one

Judicial Officer: [*title and name*].

Case number of court: [*number*]. provision for multiple.

Offences subject of cross appeal: count[s] [*enter numbers*] on the Information dated [*date*] in case [*case file number*] provision for multiple Informations/cases.

Terms of judgment subject to cross appeal: [*enter terms eg conviction, finding of objective elements, etc*] provision for multiple.

Grounds of cross appeal

See attached Cross Appeal Grounds

Orders sought

orders sought in addition to or in place of the orders made in separate numbered paragraphs

1.

delete unless applicable

Extension of time

The Cross Appellant seeks an extension of time to bring this Cross [*Application/Appeal*] Select one pursuant to [*enter Act and section or other particular provision*] on the grounds that:

grounds in separately numbered paragraphs

1.

Leave to cross appeal

- Leave not required in respect of ground[s] [*enter ground numbers*] because [*enter reason*] provision for multiple.
- Certificate by trial Judge that matter fit for appeal granted in respect of ground[s] [*enter ground numbers*] by [*judge's name*] on [*date*].
- Leave sought in respect of ground[s] [*enter ground numbers*].

Hearing of cross appeal

The Cross Appellant is in custody: [*yes/no*]. Select one

Complete if appellant is defendant/youth and is in custody

At the hearing of the application for leave to appeal and/or cross appeal, the Cross Appellant wishes to:

- be present in person.
- appear by audiovisual link.

not appear.

Reasons why Cross Appellant wishes to be present in person: [*enter reasons*]. audiovisual link is the usual form of appearance at a hearing of an application for leave for persons in custody. Special reasons need to be given for the Court to direct personal attendance

Complete if appellant is defendant/youth and is in custody

At the hearing of the appeal and/or cross appeal, the Cross Appellant wishes to:

- be present in person.
- appear by audiovisual link.
- not appear.

Reasons why appeal and/or wishes to be present in person: [*enter reasons*]. audiovisual link is the usual form of appearance at a hearing of an appeal for persons in custody. Special reasons need to be given for the Court to direct personal attendance

To the Other Parties: WARNING

The Cross Appellant applies for leave to cross appeal and/or cross appeals against the judgment/decision identified above. The parties will be advised of a hearing date in due course.

If you wish to oppose the cross application/appeal or make submissions about it, you **must** attend the hearing. If you do not attend the hearing, the Court may make orders **finally determining** the cross application/appeal without further warning.

If you wish to be heard on any matter relating to the appeal, you **must** file a notice of address for service in a Form 15 within 5 business days of the date of this notice, unless the respondent is the Director of Public Prosecutions.

Service

The party filing this document is required to serve it on the Registrar of the Court appealed from and all other parties in accordance with the Rules of Court.