

<p><b>To be inserted by Court</b></p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
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## NOTICE OF CROSS APPEAL AGAINST SENTENCE OR MENTAL IMPAIRMENT DISPOSITION

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

**[FULL NAME]**  
**Appellant**

v

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

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

<p><b>Cross Appeal Details</b></p> <p>The Cross Appellant seeks leave to appeal and/or appeals to</p> <p><input type="checkbox"/> the Court of Appeal</p> <p><input type="checkbox"/> a single Judge</p> <p>against the judgment or decision identified below.</p> <p><input type="checkbox"/> This is an application for leave to appeal and/or appeal by <i>[Defendant/Youth]</i> <small>Select one</small> against</p> <p><input type="checkbox"/> a sentence.</p> <p><input type="checkbox"/> a decision to defer sentencing.</p> <p><input type="checkbox"/> an ancillary order.</p>
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- a sentencing disposition under Part 8A Division 3A or 4 of the *Criminal Law Consolidation Act 1935*.
- a sentencing disposition under Part 1B Division 6, 7, 8 or 9 of the *Crimes Act 1914* (Cth).
- This is an application for leave to appeal and/or appeal by the prosecution against
  - a sentence.
  - a decision to defer sentencing.
  - a sentencing disposition under Part 8A Division 3A or 4 of the *Criminal Law Consolidation Act 1935*.
  - a sentencing disposition under Part 1B Division 6, 7, 8 or 9 of the *Crimes Act 1914* (Cth).
- This is an application for leave to appeal and/or appeal by the Attorney-General against an ancillary order or decision not to make an ancillary order.

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

**Judgment subject of cross appeal**

Date of conviction: [date].

Date of sentence/disposition/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: [case file 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 Information/cases.

Sentence/disposition/decision subject to cross appeal: [enter sentence or disposition or ancillary decision for each count subject of appeal or decision to defer sentencing]. provision for multiple.

**Grounds of cross appeal**

See attached Cross Appeal Grounds

**Orders sought**

[orders sought] in numbered paragraphs

1.

delete unless applicable

**Extension of time**

The Cross Appellant seeks an extension of time to bring this Cross Appeal 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.
- 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 cross appellant is defendant/youth and is in custody

Complete if leave to appeal is required

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 Cross Appellant 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 identified above. The parties will be advised of a hearing date in due course.

If you wish to oppose the cross 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.