**ORIGINATING APPLICATION FOR RESERVATION OF QUESTION TO COURT OF APPEAL**

**Criminal Procedure Act 1921 s 153(6)**

SUPREMECOURT OF SOUTH AUSTRALIA

COURT OF APPEAL

CRIMINAL JURISDICTION

**[*FULL NAME*]**

**Appellant**

**v**

**[*FULL NAME*]**

**Respondent**

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| **Lodging party** |  |  |
|  | **Party title**  | **Full name of party** |
| Name of law firm/office |  |  |
| **If applicable** | **Law firm/office** | **Responsible Solicitor** |
| Name of authorised officer |  |
| **If body corporate and no law firm/office** | **Full name** |
| Address for service |  |
| **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** |

**provide for multiple parties**

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| **Respondent** |  |
| **Full Name** |
| 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** |

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| **Application Details**The Appellant applies* for leave to apply to the Court of Appeal for an order requiring a Court to refer a [relevant Question](http://classic.austlii.edu.au/au/legis/sa/consol_act/cpa1921188/s153.html#relevant_question) to it for consideration and determination
* for an order requiring the Court to refer the Question to it for consideration and determination.

This Application is brought under section 153(6) of the *Criminal Procedure Act 1921*.**Matter subject of application**Date of conviction **if applicable**: [*date*].Date of decision of Court refusing to refer the relevant Question or Questions **if applicable**: [*date*].Court: [*Supreme/District/Magistrates/Environment Resources and Development Court/Youth Court/South Australian Employment Court/other*]. Select oneJudicial Officer: [*title and name*].Case number of court: [*case number*]. **provision for multiple**.Relevant question or questions (“the Questions”):**Question or Questions in separate numbered paragraphs if more than one**.Context in which the Questions arise: [*context*]Any decision made by the Court concerning the Questions: [*decision/not applicable*]. **Grounds of application for reservation of question****grounds in separate numbered paragraphs****Orders sought** **orders sought in numbered paragraphs** **Leave to make application** * Leave not required **if application made by Attorney-General or Director of Public Prosecutions**
* Leave granted by [*title and name*] on [*date*].
* Leave sought.
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| **Hearing of application** The Appellant is in custody:[*yes/no*].**remainder only displayed if appellant is defendant/youth and yes to previous question****following item only displayed if leave sought**At the hearing of the application for leave to apply to reserve Questions, the Appellant wishes to:* be present in person.
* appear by audiovisual link.
* not appear.

**following item only displayed if first selection to previous question** Reasons why the Appellant wishes to be present in person:[*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**At the hearing of the application to reserve Questions (if leave already granted), the Appellant wishes to:* be present in person.
* appear by audiovisual link.
* not appear.

**following item only displayed if first selection to previous question**Reasons why the Appellantwishes to be present in person:[*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****following displayed if applicant is defendant/youth and yes to first question at top of box**At the hearing of the Questions reserved (if reserved), the Appellant wishes to:* be present in person.
* appear by audiovisual link.
* not appear.

**following item only displayed if first selection to previous question**Reasons why Appellant wishes to be present in person:[*reasons*]. **Audiovisual link is the usual form of appearance at a hearing of an application for persons in custody. Special reasons need to be given for the Court to direct personal attendance** |

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| **To the Other Parties: WARNING** The Appellant applies for reservation of the Questions identified above. The parties will be advised of a hearing date in due course. If you wish to oppose the application 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 Application without further warning |

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