**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 one  Judicial 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. |