

Form 5.11 Court of Appeal—notice of appeal

Court Procedures Rules 2006

(see r 5402 (Appeals to Court of Appeal—starting appeal))

In the Supreme Court of the Australian Capital Territory

Court of Appeal

*[Criminal jurisdiction]

No ACTCA of (year) (Court to complete)

*[Appeal from *[Justice (*name of judge*)/Associate Judge (*name of associate judge*)]/Appeal against *[conviction/sentence imposed by Justice (*name of judge*)]]

(No SC of (year))

(*name*)

Appellant

(*name*)

Respondent

1. On (*date*), *[Justice (*name of judge*)/Associate Judge (*name of associate judge*)] made the following order:
(*state the order*)
2. The appellant appeals from *[all/the following part of] the order.
(*if appeal from only part of order, state the part appealed from*)

Filed for the appellant by:

(*the appellant's address for service and telephone number or, if the appellant is represented by a solicitor who is the agent of another solicitor, the name and place of business of the other solicitor*)

*3. [The appeal is brought by leave of the Court of Appeal given on *(date)*.
A sealed copy of the order giving leave to appeal is attached.]

4. The appellant *[will/will not] seek to put further evidence before the
Court of Appeal.

*(if further evidence sought is to be put before the Court or Court of
Appeal, state briefly the nature of the evidence and what is sought to be
proved)*

5. The grounds of the appeal are:

*(state briefly, but specifically, the grounds relied on in support of the
appeal, including, in particular, any grounds on which it is claimed
there is an error of law in the order appealed from)*

6. The orders sought are:

(state orders sought)

(if r 5403 (3) applies)

*7. [The appellant wants to present the appellant's case in writing.]

(if the appellant is represented by a solicitor)

***Particulars of appellant's solicitor**

Solicitor's full name:

(if the solicitor practises in a firm of solicitors)

*Solicitor's firm:

Solicitor's full business address:

Solicitor's telephone no:

*Name, address and telephone no of solicitor's agent:

Appellant's address for service of documents

(set out appellant's address for service)

(if represented by a solicitor the following information may be given)

*Document exchange box no:

(if postal address different from address for service)

*Postal address:

*Fax:

*Email address:

Date:

(signature of appellant/appellant's solicitor)

(name of appellant/appellant's solicitor)

Notice to respondent

To: *(respondent's name and address)*

Before taking any other step in this proceeding, you must file a notice of intention to respond in the Court and serve a sealed copy of it on the appellant.

You do not need to file and serve a notice of intention to respond if you have already filed a notice of intention to respond to an application for leave to appeal from an interlocutory judgment, or for leave to appeal out of time from a final judgment, in the proceeding, and the information provided in the notice has not changed.

Settling appeal papers

A directions hearing for settling the appeal papers will be held as follows:

Time: *(date and time to be entered by Registrar)*

Place: Supreme Court, Knowles Place, Canberra City, ACT.

If you do not attend to settle the appeal papers, either in person or by your legal practitioner, directions may be given, and orders made, in your absence.

- Note 1* Before the date set for settling the appeal papers, the appellant must—
- (a) get and file the reasons for the order or the summing up of the judicial officer of the court who gave the order appealed from, certified by the judicial officer's associate; and
 - (b) get and file a copy of the transcript of the proceeding in which the order was made and, if corrected, certified by the registrar; and
 - (c) prepare and file a case summary (see r 5430 (1)).

Note 2 Before the date set for settling the appeal papers, the appellant must also prepare and file a draft index of the appeal papers (see r 5431).

Date:

(signature of Registrar)

Registrar

**omit if, or whichever is, inapplicable*