



## HIGH COURT OF AUSTRALIA

### NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 15 Feb 2023 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

#### Details of Filing

File Number: S12/2023  
File Title: Lesianawai v. Minister for Immigration, Citizenship and Multi  
Registry: Sydney  
Document filed: Form 3 - Order  
Filing party: HCA  
Date filed: 15 Feb 2023

#### Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

BETWEEN:

**Isaac Lesianawai**  
Plaintiff

- and -

**Minister for Immigration, Citizenship  
and Multicultural Affairs**  
Defendant

**ORDER**

JUSTICE: Justice Gleeson

DATE GIVEN: 14 February 2023 (in chambers)

INITIATING PROCESS: Application for a constitutional or other writ /  
interlocutory application filed by the plaintiff

APPEARANCES: (on 13 February 2023)

D.J. Hooke SC with J.D. Donnelly  
Counsel for the plaintiff

P.M. Knowles SC with B.D. Kaplan  
Counsel for the defendant



THE COURT ORDERS THAT:

1. The plaintiff has leave to file an amended application for a constitutional or other writ seeking an extension of time pursuant to s 486A of the *Migration Act 1958* (Cth) by 6:00pm on 13 February 2023.
2. Compliance with the time limited by r 25.02.2 of the *High Court Rules 2004* (Cth) be dispensed with.
3. Pursuant to s 486A(2) of the *Migration Act 1958* (Cth), the time for making the application for a constitutional or other writ be extended up to and including 10 February 2023.
4. The plaintiff by his counsel having given the usual undertaking as to damages,

---

This Order was prepared by the plaintiff.

the defendant, his employees, officers, delegates or agents be restrained from removing the plaintiff from Australia until 4:00pm on the day on which these proceedings are finally determined.

5. The defendant pay the plaintiff's costs of and incidental to the application dated 11 February 2023.
6. Liberty to apply.

DATE AUTHENTICATED: 15 February 2023

