

MS NEWETT
v
MR NEWETT & ORS
[2023] HCASL 186
B41/2023

1 The applicant requires an extension of time within which to seek special leave to appeal from a decision of the Federal Circuit and Family Court of Australia (Division 1) Appellate Jurisdiction (Aldridge, Kari and Brasch JJ) dismissing an appeal from a decision of the Federal Circuit and Family Court (Division 1) (Baumann J). The applicant has also filed an application seeking, amongst other things, to place fresh evidence before this Court, and orders for various interlocutory relief.

2 An appeal to this Court would enjoy no prospects of success. It would therefore be futile to grant the extension of time that is sought. Special leave to appeal is refused.

3 In these circumstances, the applicant's interlocutory application should also be refused. Moreover, and in any event, this Court does not have the power to receive fresh evidence in its appellate jurisdiction: *Eastman v The Queen* (2000) 203 CLR 1. The interlocutory application is refused.

Gordon J
Steward J

7 December 2023