

LUIS KNOPP - A PSEUDONYM
v
THE COMMONWEALTH DIRECTOR OF PUBLIC PROSECUTIONS & ANOR
[2024] HCASL 104
M15/2024

- 1 The applicant requires an extension of time within which to seek special leave to appeal from orders of the Court of Appeal of the Supreme Court of Victoria (Niall JA, Kidd and Tinney A-JJA), allowing an appeal from orders of the County Court of Victoria (Judge Todd) dismissing the conspiracy charge of the applicant pursuant to s 11.5(6) of the *Criminal Code* (Cth). The proposed appeal has insufficient prospects of success to warrant the fragmentation of the criminal trial by the grant of special leave to appeal and is otherwise an inappropriate vehicle to consider the scope of the decision of this Court in *R v Hoar* (1981) 148 CLR 32. It would therefore be futile to grant the extension of time that is sought.
- 2 Special leave to appeal is refused.

Gageler CJ
Gordon J
Edelman J
Steward J
Gleeson J
Jagot J
Beech-Jones J

11 April 2024