

SMITH
v
THE KING
[2024] HCASL 119
S144/2023

- 1 The applicant requires an extension of time within which to seek special leave to appeal from the whole of a judgment of the Court of Criminal Appeal of New South Wales (Beech-Jones CJ at CL, Button and McNaughton JJ agreeing) dismissing an appeal against conviction for assault occasioning death while intoxicated contrary to s 25A(2) of the *Crimes Act 1900* (NSW).
- 2 The proposed appeal has insufficient prospects of success to warrant a grant of special leave to appeal. It would therefore be futile to grant an extension of time.
- 3 Special leave to appeal is refused.

Gageler CJ
Gordon J
Edelman J
Steward J
Gleeson J
Jagot J

11 April 2024