

XIE
v
THE KING
[2024] HCASL 154
S40/2024

1 The applicant requires an extension of time within which to seek special leave to appeal from the whole of the judgment of the Court of Criminal Appeal of New South Wales (Bathurst CJ, R A Hulme and Beech-Jones JJ) dismissing an appeal against the applicant's conviction by a jury in the Supreme Court of New South Wales (Fullerton J) on five counts of murder.

2 The proposed appeal to this Court does not raise an issue of public importance. The decision of the Court of Criminal Appeal of New South Wales is not attended with sufficient doubt, and it is not in the interests of the administration of justice to grant special leave to appeal. It is therefore not a suitable vehicle to consider the use of computer based probabilistic analysis. It would therefore be futile to grant the extension of time that is sought.

3 Special leave to appeal is refused.

Gordon J
Steward J

6 June 2024