

*PALMER LEISURE COOLUM PTY LTD (ACN 146 828 122)*

v

*MAGISTRATES COURT OF QUEENSLAND & ORS*

*PALMER*

v

*MAGISTRATES COURT OF QUEENSLAND & ORS*

[2024] HCASL 159

B12/2024

B13/2024

- 1       The applicants seek special leave to appeal from a decision of the Court of Appeal of the Supreme Court of Queensland (Dalton and Boddice JJA and Burns J), dismissing appeals from a decision made by the primary judge (Callaghan J) in two proceedings (BS6224/21 and BS6350/21). In those proceedings, the applicants sought a permanent stay of two prosecutions in the Magistrates Court on the ground that they each constituted an abuse of process. The applicants also sought summary judgment. Additionally, the second and third respondents sought a permanent stay of the applicants' proceedings in the Supreme Court of Queensland on the ground that those proceedings constituted an abuse of process. The primary judge granted the respondents a permanent stay of the applicants' proceedings in the Supreme Court of Queensland.
- 2       To the extent that any question of law of public importance is raised by the applications, the proposed appeals do not have sufficient prospects of success to warrant a grant of special leave to appeal and, accordingly, it is not in the interests of the administration of justice for this Court to consider the judgment of the Court of Appeal to which the applications relate.
- 3       Special leave to appeal is refused with costs.

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

6 June 2024