

*MRB*  
v  
*THE KING*  
[2024] HCASL 233  
B28/2024

- 1       The applicant requires an extension of time within which to seek special leave to appeal from a judgment of the Court of Appeal of the Supreme Court of Queensland (Dalton JA and Burns J; Boddice JA dissenting) which dismissed an appeal against conviction in the Supreme Court of Queensland.
- 2       The application concerns the terms of the direction based upon *Liberato v The Queen* (1985) 159 CLR 507. Although the direction by the trial judge did not follow the usual terms of the direction (see *De Silva v The Queen* (2019) 268 CLR 57 at 64 [12]) the application has insufficient prospects of success to warrant the grant of special leave to appeal. Accordingly, it would 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  
Beech-Jones J

5 September 2024