

MR FOWLES
v
MS FOWLES
[2024] HCASL 292
M74/2024

- 1 The applicant requires an extension of time within which to seek special leave to appeal from part of the judgment of the Full Court of the Federal Circuit and Family Court of Australia (Division 1) Appellate Jurisdiction (Aldridge, Carew and Campton JJ) dismissing an appeal from the Federal Circuit and Family Court of Australia (Division 1) (Bennett J).
- 2 The proposed grounds of appeal have insufficient prospects of success to warrant a grant of special leave to appeal and an appeal would not be an appropriate vehicle to assess the broader application of the decision of this Court in *NAIS v Minister for Immigration and Multicultural and Indigenous Affairs* (2005) 228 CLR 470. Accordingly, it would be futile to grant an extension of time.
- 3 Special leave to appeal is refused with costs.

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

7 November 2024