

MANNING
v
THE KING
[2024] HCASL 309
B47/2024

- 1 On 16 March 2022, Keane and Edelman JJ refused the applicant an extension of time for special leave to appeal from a decision of the Court of Appeal of the Supreme Court of Queensland dismissing the applicant's appeal against conviction and application for leave to appeal against sentence: *Manning v The Queen* [2022] HCASL 42.
- 2 On 9 February 2023, the Court of Appeal (Morrison and McMurdo JJA, Brown J) refused the applicant an extension of time to appeal against the same convictions and sentence, and to seek special leave to re-open the previous appeal. The Court of Appeal held that it had no jurisdiction to hear a further appeal against conviction once the applicant's earlier appeal against conviction had been determined on the merits and that the second application for leave to appeal against sentence was an abuse of process.
- 3 The applicant requires an extension of time to seek special leave against the second decision of the Court of Appeal, but it would be futile to grant the extension which is sought. An appeal to this Court would have insufficient prospects of success.
- 4 Special leave to appeal is refused.

Gordon J
Steward J

5 December 2024