

BATAK
v
THE KING
[2025] HCADisp 15
S141/2024

- 1 The applicant requires an extension of time within which to seek special leave to appeal from the judgment of the Court of Criminal Appeal of the Supreme Court of New South Wales (Kirk JA, Wilson and Ierace JJ). The Court of Criminal Appeal upheld part of an appeal against conviction brought by the applicant and quashed his conviction for constructive murder, but dismissed the remaining grounds of the appeal and ordered a retrial.
- 2 The proposed appeal does not have sufficient prospects of success to warrant a grant of special leave, nor does it raise any question of general principle. It would therefore be futile to grant the 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

6 February 2025