

MCINERNEY
v
D'ORTENZIO & ORS
[2026] HCADisp 171
A10/2026

- 1 The applicant requires an extension of time within which to seek special leave to appeal from the whole of a judgment of the Court of Appeal of the Supreme Court of South Australia (Livesey P, Doyle and David JJA), which dismissed an appeal from a judgment of the Supreme Court of South Australia (McIntyre J) which pronounced in favour of a will dated 15 February 2018, and against two wills dated 26 December 2018 and 25 January 2019.
- 2 The proposed appeal does not raise any issue of general principle, and has insufficient prospects of success to warrant a grant of special leave. It would therefore be futile to grant the extension of time that is sought.
- 3 Special leave to appeal is refused with costs.

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

6 August 2026