

IN THE SUPREME COURT OF NEW ZEALAND

**SC 137/2015
[2017] NZSC 60**

BETWEEN

MATTHEW JOHN YOUNG
Applicant

AND

THE DISTRICT COURT AT HAMILTON
Respondent

Court: William Young, O'Regan and Ellen France JJ

Counsel: Applicant in person
L Dunn for Respondent

Judgment: 3 May 2017

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed.

REASONS

[1] On 16 December 2015 the applicant filed an application for leave to appeal the decision of the Court of Appeal declining to continue name suppression.¹ Ongoing name suppression was sought pending the hearing of an appeal against a decision of Moore J declining an application for judicial review in relation to name suppression.²

[2] The applicant indicated to the registry on 10 March 2016 that the application for leave to appeal would be abandoned. No notice of abandonment has been filed. Nor have any steps been taken to progress the application in a timely manner. The Registrar has been in contact with the applicant to attempt to progress the matter without success. Finally, on 11 April 2017, formal notice was given under s 338(2)

¹ *Young v The District Court at Hamilton* [2015] NZCA 584 (Randerson, French and Kós JJ).

² *Young v District Court* [2015] NZHC 2677.

of the Criminal Procedure Act 2011 to the applicant that the application would be dismissed for non-prosecution unless he rectified non-compliance with the timetable.

[3] No response has been received from the applicant to the notice. The application for leave is accordingly dismissed for non-prosecution. In any event, the applicant's name has been in the public domain for some time now and the appeal to the Court of Appeal against the decision of Moore J has been abandoned under r 43 of the Court of Appeal (Civil) Rules 2005.

Solicitors:
Almao Douch, Hamilton for Respondent