

IN THE SUPREME COURT OF NEW ZEALAND

SC 8/2011
[2011] NZSC 47

BETWEEN VINCENT ROSS SIEMER
Applicant

AND MICHAEL PETER STIASSNY AND
KORDA MENTHA
Respondents

Court: Blanchard, Tipping and McGrath JJ

Counsel: Applicant in Person
P J Hunt for Respondents

Judgment: 9 May 2011

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed with costs of \$2,500 to the respondents.

REASONS

[1] The exercise by the Court of Appeal¹ of its discretion not to extend time for the appeal was made on a proper basis. In particular, it was entirely orthodox for the Court of Appeal to give some consideration to the merits (or lack of them) when determining the application.

[2] We agree with the view of the Court of Appeal that the proposed appeal was an abuse of process.

Solicitors:
McElroys, Auckland for Respondents

¹ *Siemer v Stiassny* [2010] NZCA 607.