

IN THE SUPREME COURT OF NEW ZEALAND

SC 28/2013
[2013] NZSC 125

BETWEEN JAMES PATRICK GOLLAN
 Applicant

AND THE QUEEN
 Respondent

Court: McGrath, William Young and Glazebrook JJ

Counsel: Applicant in Person
 M J Inwood for Respondent

Judgment: 18 November 2013

JUDGMENT OF THE COURT

The application for recall is dismissed.

REASONS

[1] Mr Gollan applies for the recall of the judgment of this Court of 11 June 2013 dismissing his application for leave to appeal against a Court of Appeal judgment upholding his conviction on charges of assault with a weapon and of threatening grievous bodily harm.¹

[2] The principal matters raised by the applicant are that the trial Judge was wrong to find that the victims of the assaults, who were repossession agents, were not trespassers and that rights of defence of property under the Crimes Act were not available. Both these matters, however, were before this Court and considered in its judgment refusing leave.

¹ *Gollan v R* [2013] NZSC 56.

[3] In these circumstances there are no grounds for recall of this Court's judgment which is the final determination of issues raised by the applicant concerning his convictions. The application for recall is accordingly dismissed.

Solicitors:
Crown Law Office, Wellington