

IN THE SUPREME COURT OF NEW ZEALAND

SC 53/2014
[2014] NZSC 79

BETWEEN

RONALD VAN WAKEREN
Applicant

AND

THE CHIEF EXECUTIVE OF THE
DEPARTMENT OF CORRECTIONS
Respondent

Court: McGrath, William Young and Glazebrook JJ

Counsel: Applicant in Person

Judgment: 24 June 2014

JUDGMENT OF THE COURT

The application for recall of judgment is dismissed.

REASONS

[1] The applicant seeks recall of the Court's judgment, delivered on 6 June 2014,¹ dismissing his application for leave to appeal against a judgment of the Court of Appeal rejecting his application for habeas corpus.

[2] The applicant's first ground for seeking reconsideration is that the Court did not address in its judgment the validity of the warrant for imprisonment under which he is detained. This is incorrect. In paragraph [8], the Court found that the warrant had been properly issued, in respect of an amended sentence imposed by the Court of Appeal, thus upholding its validity. The second ground is that the sentence imposed by the Court of Appeal was for a term of imprisonment that had expired. That ground, and the remainder of the applicant's submissions, are no more than a

¹ *van Wakeren v The Chief Executive of the Department of Corrections* [2014] NZSC 65.

continuation of the arguments he put to the Court which were rejected in its judgment.

[3] There is accordingly no basis for the Court to reconsider its judgment dismissing the application for leave to appeal. The application for recall is dismissed.