

IN THE SUPREME COURT OF NEW ZEALAND

SC 46/2015
[2015] NZSC 108

BETWEEN RICHARD JOHN CRESER
Applicant

AND JANINE MICHELLE CRESER
First Respondent

THE OFFICIAL ASSIGNEE
Second Respondent

Court: Glazebrook, Arnold and O'Regan JJ

Counsel: Applicant in person
First Respondent in person

Judgment: 21 July 2015

JUDGMENT OF THE COURT

The application for recall is dismissed.

REASONS

[1] Mr Creser applies for a recall of this Court's judgment of 16 July 2015,¹ refusing leave to appeal against a decision of Cooper J upholding the Registrar of the Court of Appeal's decision refusing to dispense with security for costs.²

[2] Mr Creser seeks a recall based on what he says was a fraud upon the Court with regard to his bankruptcy. He therefore states that this Court's decision is "unsafe".

¹ *Creser v Creser* [2015] NZSC 104.

² *Creser v Creser* [2015] NZCA 128.

[3] As this Court noted in its decision, Mr Creser's submissions related to his bankruptcy were not relevant to Mr Creser's identified grounds of appeal.³ They can therefore provide no justification for a recall of our judgment.

[4] The application for recall is dismissed.

³ *Creser v Creser*, above n 1, at [4]. Prior to the delivery of this Court's judgment on 16 July 2015, this Court received and considered documents and submissions filed by Mr Creser concerning his bankruptcy.