

IN THE SUPREME COURT OF NEW ZEALAND

SC 48/2015  
[2015] NZSC 126

BETWEEN VINCENT ROSS SIEMER AND JANE  
DINSDALE SIEMER  
Applicants

AND KEVIN STANLEY BROWN & ORS  
Respondents

Court: Elias CJ, Glazebrook and O'Regan JJ

Counsel: V R Siemer in person  
A M Powell and E J Devine for First to Fourteenth Respondents  
V E Casey for Fifteenth Respondent

Judgment: 13 August 2015

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**JUDGMENT OF THE COURT**

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**The application for recall is dismissed.**

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**REASONS**

[1] The applicants apply for the recall of this Court's judgment in *Siemer v Brown*.<sup>1</sup> That judgment dealt with the applicants' application for leave to appeal against the judgment of Wild J in the Court of Appeal.<sup>2</sup> In that decision, Wild J upheld a decision of the Registrar of that Court to refuse to accept for filing an application for review by a panel of three Judges of a decision made by Wild J upholding a decision of the Registrar to refuse to dispense with security for costs in relation to an appeal to the Court of Appeal.<sup>3</sup>

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<sup>1</sup> *Siemer v Brown* [2015] NZSC 102.

<sup>2</sup> *Siemer v Brown* [2015] NZCA 161 (Wild J).

<sup>3</sup> *Siemer v Brown* [2015] NZCA 69 (Wild J).

[2] In this Court's judgment, it noted the clear authority arising from a decision of this Court involving the first-named applicant that there is no such right of review.<sup>4</sup> Wild J simply applied that authority. This Court also noted that the applicants' attempt to file an application for review by three Court of Appeal Judges was an abuse of that Court's process. The attempt to file an application for review of the Registrar's decision to refuse to accept for filing the purported application for review by three Judges aggravated that abuse of process.

[3] The application for recall of this Court's judgment raises no matter of relevance, let alone any new matter requiring consideration. It, too, is an abuse of process.

[4] The application for recall is therefore dismissed.

Solicitors:  
Crown Law Office, Wellington for Respondents.

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<sup>4</sup> *Siemer v Stiassny* [2013] NZSC 11.