

IN THE SUPREME COURT OF NEW ZEALAND

SC 80/2012
[2012] NZSC 100

BETWEEN	KYUNG YUP KIM Appellant
AND	THE PRISON MANAGER, MT EDEN CORRECTIONS FACILITY Respondent

Court: Elias CJ, McGrath, William Young, Chambers and Glazebrook JJ

Counsel: T Ellis and G K Edgeler for Appellant
A M Powell and D J Perkins for Respondent

Judgment: 16 November 2012

JUDGMENT OF THE COURT

- A Leave to appeal is granted.**
- B The approved ground is whether the Courts below were correct to dismiss the proceeding because the alleged deficiencies in the request to surrender and the application for a provisional warrant were not suitable for determination on a habeas corpus application.**
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REASONS

[1] The other proposed grounds raised by the appellant concern matters which are premature at this stage of the proceedings.

Solicitors:
Carole Curtis, Auckland for Appellant
Crown Law Office, Wellington for Respondent