

IN THE SUPREME COURT OF NEW ZEALAND

**SC 42/2008
[2008] NZSC 66**

JAMIE RONAKI KISSLING

v

THE QUEEN

Court: Blanchard, McGrath and Wilson JJ

Counsel: Applicant in Person

Judgment: 21 August 2008

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed.

REASONS

[1] This application is brought out of time and seeks leave for a direct appeal from the High Court to this Court. Written submissions have been received from the applicant. Having considered them we have no need to call upon the Crown to provide submissions.

[2] The High Court decision which the applicant wishes to challenge concerned a change in the venue of the applicant's trial from Rotorua to Hamilton. The applicant objected to that change and also sought what the High Court Judge called "a transfer of the case to the tribal or customary courts of the Te One One Tribes". The High Court Judge declined the latter application because the bodies referred to by the

applicant did not have any legal authority to administer the criminal laws of New Zealand.

[3] No explanation has been provided for the lateness of the present application but, in any event, this Court is directed in s 14 of the Supreme Court Act 2003 that it must not give leave to appeal directly to it against a decision of a Court other than the Court of Appeal unless it is satisfied that there are exceptional circumstances that justify taking an appeal directly to this Court. We have not been satisfied that there are any exceptional circumstances in this case.