

IN THE SUPREME COURT OF NEW ZEALAND

**SC 35/2012
[2012] NZSC 54**

JAY MAUI WALLACE

v

THE QUEEN

Court: Tipping, McGrath and William Young JJ

Counsel: Applicant in Person
J E Mildenhall for Crown

Judgment: 11 July 2012

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed.

REASONS

[1] The applicant was convicted following a jury trial on charges of injuring with intent, threatening to kill, assault with intent to injure, unlawful possession of a firearm and possession of explosives. The victim of the violent offending was his partner. He was sentenced to 5 years three months imprisonment.¹ His appeal to the Court of Appeal against conviction and sentence was dismissed.²

¹ *R v Wallace* HC Auckland CRI-2010-092-2879, 30 June 2011.

² *Wallace v R* [2012] NZCA 139.

[2] The applicant now seeks leave to appeal against the Court of Appeal judgment to this Court.

[3] Neither the application for leave to appeal, nor the applicant's submissions, raise a ground of appeal or otherwise relevantly address the circumstances of the applicant's conviction or sentence. Rather, they raise questions of the jurisdiction of the trial and appellate Courts which have determined and affirmed his guilt. The jurisdiction questions have already been addressed by the applicant in the course of the pre-trial process and have been rejected.

[4] There is nothing in what has been put to us that indicates that it is arguable that a substantial miscarriage of justice will arise in this case unless the Court gives leave to appeal, or that for any other reason the interests of justice test for an appeal to this Court is met.

[5] The application is accordingly dismissed.

Solicitors:
Crown Law Office, Wellington