

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI

SC 136/2021
[2021] NZSC 173

BETWEEN VINCENT ROSS SIEMER
 Applicant

AND AUCKLAND HIGH COURT
 First Respondent

 MATTHEW SIMON RUSSELL PALMER
 Second Respondent

Court: William Young, Glazebrook and O'Regan JJ

Counsel: Applicant in person
 A M Powell and R M McMenamin for Respondents

Judgment: 6 December 2021

JUDGMENT OF THE COURT

- A The application for leave to appeal is dismissed.**
- B Costs are reserved.**
-

REASONS

[1] The applicant issued proceedings in the High Court seeking a writ of mandamus to require the Court and Palmer J to issue a judgment as to whether an order should be made against him under s 166 of the Senior Courts Act 2016. The application was struck out by Powell J as an abuse of process¹ and the applicant's appeal against that judgment was struck out by the Court of Appeal on the same ground.² He now seeks leave to appeal.

¹ *Siemer v Auckland High Court* [2020] NZHC 3072.

² *Siemer v Auckland High Court* [2021] NZCA 487 (French, Brown and Courtney JJ).

[2] The background to the application was reviewed in the judgments of both Powell J and the Court of Appeal. Their conclusions that the proceedings and the appeal to the Court of Appeal were abuses of process is undoubtedly correct; this for the reasons they gave. The same is true of the present application for leave to appeal.

[3] The application for leave to appeal is accordingly dismissed. Costs were not addressed in the submissions and are therefore reserved.

Solicitors:
Crown Law Office, Wellington for Respondents