

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

SC 100/2022
[2023] NZSC 158

BETWEEN GREGORY JOHN JONES
Applicant

AND NEW ZEALAND BLOODSTOCK
FINANCE AND LEASING LIMITED
Respondent

Court: Glazebrook, Williams and Kós JJ

Counsel: Applicant in person
F A King for Respondent

Judgment: 8 December 2023

JUDGMENT OF THE COURT

- A The second application for recall is dismissed.**
- B The Registrar is directed not to accept for filing any further applications in relation to this matter.**
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REASONS

[1] This is a second application for recall of the judgment of this Court delivered on 2 August 2023 (declining leave to appeal).¹

[2] Other orders are sought, including for “stay of appeal”, stay of execution and oral hearing of the applicant’s arguments about recusal. It proves unnecessary to address these latter matters; as a matter of jurisdiction, they hang upon the renewed application for recall.

¹ *Jones v New Zealand Bloodstock Finance and Leasing Ltd* [2023] NZSC 98.

[3] As this Court made abundantly clear in its decision on the applicant's first application for recall, a recall application cannot be used to relitigate the reasons for refusing leave.²

[4] We regret to have to say that this renewed recall application is a further instance of the applicant flouting that restriction. The arguments presented seek to relitigate reasons given previously in our decision declining leave. Nothing raised by the applicant meets the threshold for a recall application to be granted, and it must therefore be dismissed.³

[5] Given no substantial response was required of the respondent we make no order for costs.

Result

[6] The second application for recall is dismissed.

[7] The Registrar is directed not to accept for filing any further applications in relation to this matter.

Solicitors:
McKenna King Dempster, Hamilton for Respondent

² *Jones v New Zealand Bloodstock Finance and Leasing Ltd* [2023] NZSC 133 at [10].

³ *Horowhenua County v Nash (No 2)* [1968] NZLR 632 (SC) at 633; and *Saxmere Company Ltd v Wool Board Disestablishment Company Ltd (No 2)* [2009] NZSC 122, [2010] 1 NZLR 76 at [2].