

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

SC 74/2022
[2026] NZSC 112

BETWEEN HARRY MEMELINK
Applicant

AND COLLINS & MAY LAW
Respondent

Court: Williams and Kós JJ

Counsel: Applicant in person
No appearance for Respondent

Judgment: 17 August 2026

JUDGMENT OF THE COURT

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

[1] This is a second application for recall of judgment declining to extend time to apply for leave to appeal — ultimately against orders made in 2018 adjudicating the applicant bankrupt.¹ It is unnecessary to rehearse the latest application, which shares the vice of its predecessors. Nothing put forward by the applicant establishes he was not in fact insolvent at the time of his adjudication. The spectral existence of funds that may have been held by a trust of which the applicant was a trustee and beneficiary does not alter that legal reality. Nor is this proceeding, arising from an unpaid

¹ *Memelink v Collins & May Law* [2022] NZSC 130 (O'Regan, Williams and Kós JJ); *Memelink v Collins & May Law* [2024] NZSC 16 (Williams, Kós and O'Regan JJ); *Memelink v Collins & May Law* [2020] NZCA 62 (Cooper and Wild JJ); and *Re Memelink* HC Wellington CIV-2018-485-363, 28 August 2018 (Associate Judge Johnston).

judgment debt for costs awarded against the applicant by the Court of Appeal, an appropriate vehicle in which to advance the relief sought.²

[2] The high standard for recall is not made out, and the application for recall will be dismissed.³

Result

[3] The application for recall is dismissed.

[4] The Registrar is directed not to accept for filing any further application from the applicant in relation to this matter.

² See *Collins & May Law v Memelink and Renshaw as Trustees of the Link Trust (No 1)* [2018] NZCA 29.

³ See *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].