

IN THE SUPREME COURT OF NEW ZEALAND

**SC 125/2016
[2016] NZSC 161**

BETWEEN ASHOR GORGUS
 Applicant

AND THE QUEEN
 Respondent

Court: Glazebrook, O'Regan and Ellen France JJ

Counsel: Applicant in person
 K S Grau for the Respondent

Judgment: 7 December 2016

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed.

REASONS

[1] Mr Gorgus was sentenced in the District Court at Auckland to four years and one months imprisonment, having pleaded guilty to a number of charges including burglary, wilful damage and two charges of possession of utensils for methamphetamine use.¹

[2] His appeal was dismissed by the High Court.² The Court of Appeal declined Mr Gorgus' application for leave to bring a second appeal.³

¹ *R v Gorgus* [2015] NZDC 20428 (Judge Dawson).

² *Gorgus v Police* [2015] NZHC 3127 (Muir J).

³ *Gorgus v R* [2016] NZCA 508 (Harrison, Brown and Brewer JJ).

[3] There is no jurisdiction for this Court to grant leave to appeal against a decision of the Court of Appeal declining leave to appeal.⁴ This means that the application for leave to appeal must be dismissed for want of jurisdiction.

Solicitors:
Crown Law Office, Wellington for Respondent

⁴ Pursuant to section 213(3) of the Criminal Procedure Act 2011.