

**NOTE: PUBLICATION OF NAMES OR IDENTIFYING PARTICULARS OF
COMPLAINANTS PROHIBITED BY S 139 OF THE CRIMINAL JUSTICE
ACT 1985.**

IN THE SUPREME COURT OF NEW ZEALAND

**SC 144/2016
[2017] NZSC 193**

BETWEEN LESLIE McGEACHIN
 Applicant

AND THE QUEEN
 Respondent

Court: Glazebrook, O'Regan and Arnold JJ

Counsel: Applicant in Person

Judgment: 19 December 2017

JUDGMENT OF THE COURT

The application for recall is dismissed.

REASONS

Background

[1] In June 2013 Mr McGeachin was convicted on numerous counts, including ones of physical and sexual violence. His appeal against conviction was dismissed by the Court of Appeal in November 2015.¹

[2] On 24 February 2017 this Court dismissed Mr McGeachin's application for an extension of time to appeal against the Court of Appeal's judgment. It also dismissed his application for leave to appeal directly from the District Court against sentence.²

¹ *McGeachin v R* [2015] NZCA 558.

² *McGeachin v R* [2017] NZSC 16.

[3] On 31 October 2017 Mr McGeachin filed an application with this Court for a recall of the Court of Appeal judgment dismissing his appeal against conviction. He also, on 28 November 2017, applied to recall this Court's judgment of 24 February 2017.

Our assessment

[4] An application to recall the judgment of the Court of Appeal is not an application this Court can deal with. It must be dealt with by that Court.

[5] The application for recall of this Court's judgment essentially seeks to rely on similar arguments relating to alleged witness and Crown misconduct as had been earlier put forward both before the Court of Appeal and this Court. These arguments have already been fully examined and dismissed.

[6] This means that nothing has been put forward by Mr McGeachin that would justify a recall of this Court's judgment.

Result

[7] The application for recall is dismissed.