

Sample Annulment Application

This is a sample. It is important to complete this form with your own details and based on your own circumstances. If you need more help get legal advice.

Application to the Local Court

Section 45 Local Court Act 2007

Part 4 Local Court Rules 2009

Notice of Listing

Place: Waverley Local Court

Time and Date: 23 February 20XX

Applicant Details

Name: Gary SMITH

Address: 47 Wensleydale Avenue, GREENACRE NSW

Postal Address: as above

Lawyers Name & Address: NA

Respondent Details

Name: Senior Constable Owen BROWN

Address: EASTERN SUBURBS LAC, NSW POLICE FORCE, 136 MAROUBRA
ROAD MAROUBRA NSW 2035

Fax: 02 9362 6399

Additional Parties

Name: Elizabeth SMITH

Address: 12/100 Victoria Road, DOUBLE BAY

Connection to proceedings (e.g. Owner of goods): Protected person

Statement of Service

I **Derek Watson** of **536 Bridge Street, Sydney, Process Server**, did serve a copy of this application on **Senior Constable Owen Brown** on **10/2/20XX** by (tick one):

- delivering a copy personally to the person
- giving a copy to (name) _____, an adult person at the address of the respondent.
- sending a copy by registered mail to the respondent's address at:
- sending a copy by facsimile to the respondent's address at: _____ (only available where respondent is a Government Department and fax number provided). Advice confirming successful transmission of the document was received by me on (date):

Signature: ***D. Watson***

Name: **Derek Watson**

Witness Signature: ***P. Jones***

Name: **Paula Jones**

Application to the Local Court

Act and Section under which application lodged: Crimes (Local Courts Appeal and Review) Act 2001, s4

Order/s Sought: That the following order made by the Local Court be annulled

Parties: **Police v Gary Smith**

Date of order: **3 February 20XX**

Place of order: **Waverley Local Court**

Type of case or offences: **Apprehended Domestic Violence Order**

Grounds for Application (please choose from below or provide your own grounds):

- That the order made by the court was made in my absence.
- That I was unaware of the original Local Court proceeding until after they were completed.
- I was hindered from attending due to accident, illness, misadventure or other circumstances:
- It is in the interests of justice to annul the order having regard to the following circumstances:

Other relevant information

Original case details: Police v Gary Smith. Case number 20XX/00001224

Charge and sequence number: NA

Defendant's date of birth: 7 February 1971

Signature of Applicant: *G. Smith*

(Signature not required if applicant is a police officer or public officer)

Signature of Registrar: *R. Beston*

(Signature not required if applicant is a police officer or public officer)

Application filed at: Waverley Local Court

Date of filing application: 7 February 20XX

Court Registry Use Only

Date Court Attendance Notice Filed:

Place of Filing:

(If different from place of first listing):

Court Reference Number:

Fees (circle): Paid / Waived / Remitted / Exempt

Payment Stamp