Form CP25

Federal Court (Criminal Proceedings) Rule 4.11

Federal Court of Australia Act 1976 section 30AF(3)

Application for extension of time to file notice of appeal

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: General

**[Name of Appellant]**Appellant

**[Name of Respondent]**Respondent

To the Respondent

**Application and court hearing**

The Appellant applies for the relief set out in this Application for extension of time to file Notice of Appeal.

The Court will hear this application, or make orders for the conduct of the application, at the time, date and place shown in the Notice of Filing and Hearing attached.[Note: The Court will insert the Notice of Filing and Hearing as a coversheet when this application is accepted for filing.] If you or your lawyer do not attend, then the Court may make orders in your absence.

If you have not already done so, you must file a notice of address for service (Form CP10) in the Registry before attending Court or taking any other steps in the appeal proceedings.

The applicant applies for an extension of time to appeal.

The grounds of the application are set out in the accompanying affidavit.

**Accompanying affidavit**

This application must be accompanied by an affidavit stating (a) briefly, but specifically, the facts that support the application; and (b) why a notice of appeal cannot be, or was not, filed in time.

The following must be attached to the affidavit:

1. the judgment or decision to which the application relates;
2. the reasons, if published, for the judgment or decision;
3. a draft notice of appeal that complies with CP Rule 4.10

Date: [eg 19 June 20..]

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| Signed by [Name][Insert capacity eg For Commonwealth Director of Public Prosecutions / Appellant / Lawyer for the Appellant] |

*Notes*

1. **Service:** The party who files this application must, within 2 days, serve a stamped copy of the application and the accompanying affidavit on each party to the proceedings in which the relevant judgment or decision was made: (CP Rule 4.13(2)). See Part 7 of the CP Rules for rules about service.
2. A document to be served on a party under this rule must be served personally on the party. (CP Rule 4.13(3))