

**COURT OF APPEAL
SUPREME COURT OF QUEENSLAND**

CA NUMBER: 6892/2014
NUMBER : 4836/2014

Appellant: **Peter Markan**
AND
Respondent: **Queensland Police Service**
(ABN 29 409 225 509)

NOTICE OF APPEAL

To the respondent
And to the Registrar of Supreme Court of Queensland,

TAKE NOTICE that the appellant appeals to the Court of Appeal against the whole order by Peter D Applegarth of Supreme Court of Queensland

1. Date of Judgment: 23.07.2014

Description of Proceedings: Supreme Court NUMBER : 4836/2014

Description of parties involved in the proceedings

Plaintiff : Peter Markan

AND

Defendant: Queensland Police Service, Commissioner Ian Stewart

Name of Primary Court Judge: Peter D Applegarth

Location of Primary Court: SUPREME COURT OF QUEENSLAND

2. GROUNDS –

- a. The subject of my application to this Court relates to the issues of:
 - the lack of respect for the human rights in Queensland;
 - racist attitude, discrimination and vilification of people who are not lawyers and not of anglo origin and who represent themselves in courts;
 - denial of the protection by law to such people;
 - treatment of such people by ‘public institutions’ and courts as SECOND CLASS CITIZENS
 - creating of TOTALITARIAN REGIME consisting of lawyers who through stooges infected various democratic institutions and courts are controlling Australian society as self-professed ‘master breed’
- b. Peter D Applegarth, as the ‘judge’ employed by Supreme Court of Queensland, displayed complete lack of knowledge of basic legal principles stating that my Claim was not served ‘properly’ on Queensland Police Service and Commissioner Ian Stewart as allegedly ‘required’ by rule 105 of Uniform Civil Procedure Rules 1999.
- c. Peter D Applegarth, as the ‘judge’ employed by Supreme Court of Queensland, apparently is not aware that in this case applicable is rule 107, Personal service - corporations of part 3, Service in particular cases, which in turn is the subject of Corporations Act 2001 - Division 8—Miscellaneous interpretation rules 109X Service of documents.

NOTICE OF APPEAL

Filed by Peter Markan

Form 64, Version 4

Uniform Civil Procedure Rules 1999

Rule 747(1)

Name: Peter Markan

Address:

Phone :

Email : justiceaction@queenslandinstitute.org

- d. Peter D Applegarth, as the ‘judge’ employed by Supreme Court of Queensland, wrongly rejected my Claim and the Statement of Claim legally made against Queensland Police Service and Commissioner Ian Stewart.
- e. Peter D Applegarth, as the ‘judge’ employed by Supreme Court of Queensland, failed to make a default order and to grant me the relief as requested by me in the application from 30.06.2014, in spite of the fact that this application **was not opposed by the other party** therefore it should be granted automatically as per basic rules of the adversary legal system.
- f. Peter D Applegarth, as the ‘judge’ employed by Supreme Court of Queensland, unlawfully accepted the Affidavit of Belinda Jane Wadley sworn 18 July 2014, after being made aware that it contains false information.
- g. Peter D Applegarth, as the ‘judge’ employed by Supreme Court of Queensland, accepted the application of Queensland Police Service lawyers which was lodged without obtaining firstly the leave of court as required by law.
- h. Peter D Applegarth, as the ‘judge’ employed by Supreme Court of Queensland, unlawfully granted leave of court to Queensland Police Service lawyers to lodge their application **effective retrospectively**.
- i. Peter D Applegarth, as the ‘judge’ employed by Supreme Court of Queensland, neglected Uniform Civil Procedure Rules 1999 by accepting Queensland Police Service lawyers application made in breach of rule 366 (3) – which is the subject to conditions set in rule 447, which in turn is subject to rules set in 443,444,445
- j. Peter D Applegarth, as the ‘judge’ employed by Supreme Court of Queensland, accepted an invalid application (when lodged) with false supporting Affidavit bringing the whole Queensland legal system in disrepute.
- k. Mr Peter D Applegarth conduct highlights serious problems with administration of justice in Queensland:
 - Judiciary is the hub of racism - maintaining ‘colonial mentality’ through subtly disguised arrangements, reflected in attitudes and conduct, and resulting in the abuse and discrimination of people from non anglo background,
 - Judiciary is the primary tool of hegemony of one ethnic group of people (‘anglos’) over other subjugated citizens of the State of non anglo background
 - Judges are given so called ‘immunity’ permitting them to say any rubbish they choose without having legal responsibility for what they say,
 - Due to ‘immunity’ judges openly and blatantly abuse human rights without fear of punishment,
 - There is no effective community supervision of selection of judges, judicial conduct and their decisions,
 - The feudal concepts of ‘masters’ and ‘slaves’ are maintained to enable protection of depravity within legal industry

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- l. Mr Peter D Applegarth failed to comply with the provisions of law and he is involved in the abuse of Australian Constitution, Queensland laws, The International Covenant on Civil and Political Rights and other internationally recognized legal standards.
He did not express any feeling of guilt or remorse.
- m. Mr Peter D Applegarth is involved in improper exercise of power, in the abuse of judicial discretion which has been exercised arbitrarily and capriciously and in bad faith. The abuse resulted in a manifest injustice.
- n. Mr Peter D Applegarth, through his conduct of disrespect for laws, lost his right to expect other people to obey the laws
- o. Mr Peter D Applegarth authoritarian conduct brings the administration of justice in Queensland into disrepute and has impact on the issue of integrity and respect for the law affecting Queensland legal system as the whole.

3. ORDERS SOUGHT –

- I request the Supreme Court **to made the default order** against Queensland Police Service and Commissioner Ian Stewart and to grant me the relief as requested in my application from 30.06.2014
- Alternatively, I request the Supreme Court to pronounce the ‘order’ by Mr Peter D Applegarth from 23.07.2014 in this matter (4836/2014) as null and void – not having any legal consequences, the verdict set aside and order the new hearing.

4. RECORD PREPARATION

I undertake to cause a record to be prepared and lodged, and to include all material required to be included in the record under the rules and practice directions and any order or direction in the proceedings.

PARTICULARS OF THE APPLICANT:

Name: Peter Markan
Plaintiff’s residential or business address:

Address for service:
Peter Markan

PARTICULARS OF THE RESPONDENT:

Commissioner Ian Stewart
Queensland Police Service
Police HQ 200 Roma Street
Brisbane 4001

Signed: 

Description: *Applicant* Dated: 28.07.2014

This application is to be served on:

1. Commissioner Ian Stewart
Queensland Police Service
2. Peter D Applegarth
SUPREME COURT OF QUEENSLAND

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