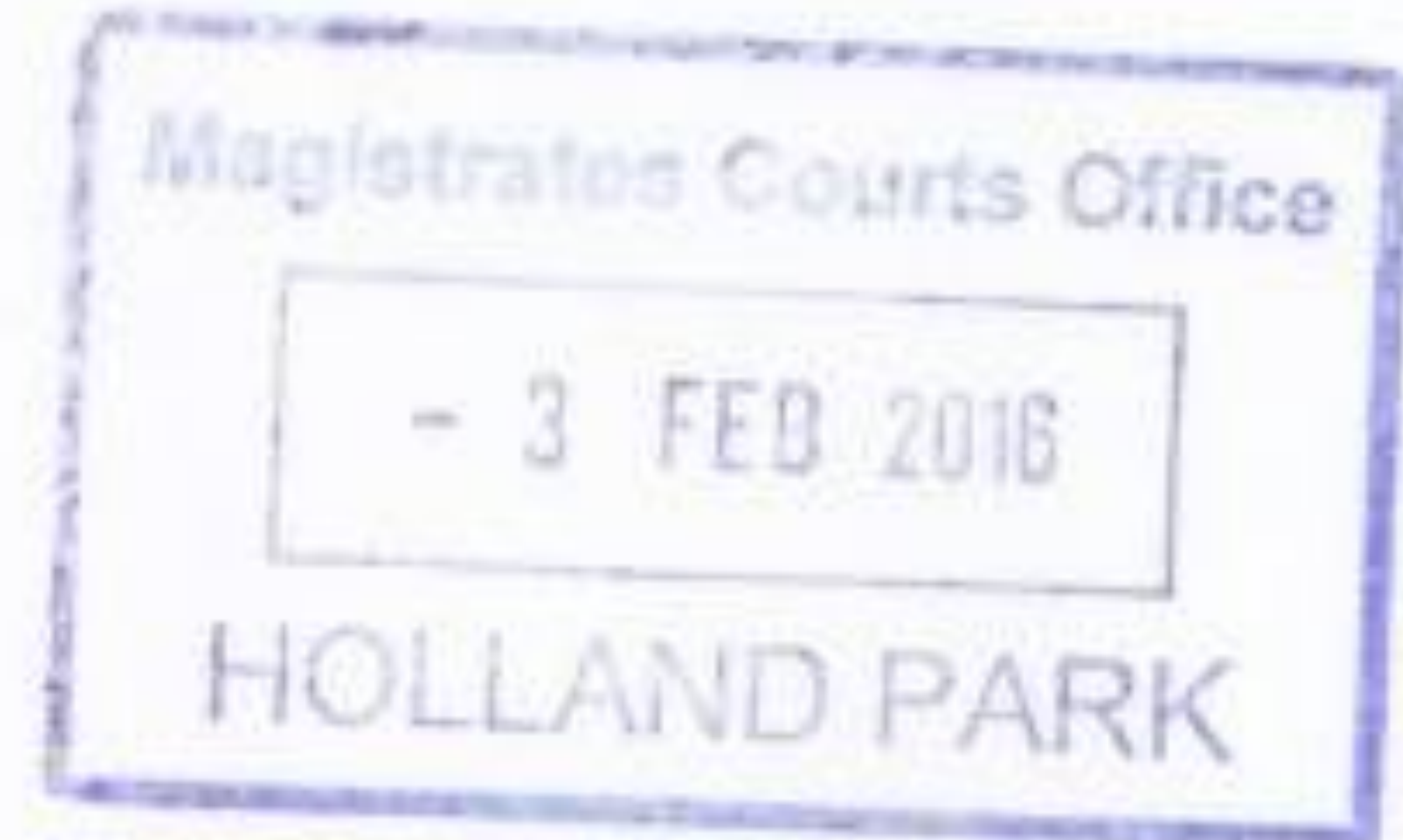


MAGISTRATES COURT OF QUEENSLAND

Registry : Holland Park
File No: MAG-00140584/15(1)
LFR: HOLL-MAG-3763/15

Plaintiff : Police Commissioner Queensland Police Service (ABN 29 409 225 509)
and
Defendant : Peter Markan



APPLICATION

TAKE NOTICE that the Defendant is applying to the Court for the following order: the declaration that the hearing on 22.10.2015 in this matter, by Ms CORNACK, as null and void – not having any legal consequences and order the new hearing.

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 by rotten legal system;
- treatment of such people by 'public institutions' and courts as SECOND CLASS CITIZENS
- use of 'ABRA CADABRA' method to ignore valid and rational but 'inconvenient' issues in courts;
- creation of TOTALITARIAN REGIME consisting of lawyers who infested various democratic institutions and courts, and are controlling Australian society as self-professed 'master breed'
- enacting of concealed dictatorship when an opinion of an **unelected individual** is claimed to be binding to 22 million of free people in Australia (those so called 'authorities' in legal proceedings)

FACTS:

1. During the preliminary court hearing on 22.10.2015 in this court, when asked how do I plead, I answered – 'I do not plead anything'.
2. Ms SHERYL LOUISE CORNACK said in reply – '**I will enter a plea of not guilty on his behalf**' – and she made the note in court papers to that effect.
3. At that time **I was not** incapacitated, un-able or legally restrained to make the decision in my own matter, while representing myself in court.
4. The Evidence – hearing transcript pages – 5-26 and 6-12

THE CONSEQUENCE and the grounds for the recusal are:

1. Ms CORNACK unlawfully failed to accept my decision, as the party in Court, of NOT MAKING ANY 'PLEADING'

APPLICATION
Filed on Behalf of the Defendant
Form 9, Version 1
Uniform Civil Procedure Rules 1999
Rule 31

Name: Peter Markan
Address:
Phone :
Email: justiceaction@queenslandinstitute.org

2. Ms CORNACK chose to act without my authorisation by making herself in court (sic!) - 'pleading on your behalf'
3. Ms CORNACK by doing so, broke the cardinal rule of 'independence of judiciary' by acting on my behalf
4. Ms CORNACK by doing so, broke the rules of Magistrates Courts Act 1921, section 18 and Justices Act 1886 section 145(1).
5. Ms CORNACK by doing so, falsified the public record of the true reality during the court hearing.
6. Ms CORNACK conduct indicates her shamelessly low level of professional knowledge and professional incompetence by not being aware of the very basic principle of the legal system she is somehow put to administer. (**independence of judiciary**)
7. Ms CORNACK conduct is the abuse of judicial discretion which has been exercised arbitrarily and capriciously and in bad faith. The abuse resulted in a manifest injustice.
8. Ms CORNACK failed to comply with the provisions of the law and her conduct is the blatant manipulation of court process.
9. Ms CORNACK abused my human and civil rights, particularly those guaranteed to all in - The International Covenant on Civil and Political which is included in the Federal Legislation as Australian Human Rights Commission Act 1986 – Schedule 2
10. Ms CORNACK is in breach of the rule "Nemo iudex in causa sua" (Latin for no one (is a) judge in (his) own case) by representing me and pleading on my behalf while **at the same time** she was supposed to be an independent arbitrator.
11. Ms CORNACK created quite a confusion to understanding how the legal system operates by **making a pleading to herself**, indicating that she could be suffering from split personality disorder or another serious mental problem.
12. Ms CORNACK conduct highlights the issue that there is no effective community supervision of selection of judges, judicial conduct and their decisions,
13. Ms CORNACK conduct highlights the tendency among judiciary to maintain feudal concepts of 'masters' and 'slaves' to enable protection of depravity within legal industry.
14. Ms CORNACK 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.

LEGAL CONSIDERATIONS

The following LAWS provide the basis of my LEGAL STANDING:

- Act Interpretation Act 1954
- Justices Act 1886
- Magistrates Court Act 1921
- Criminal Code Act 1899
- Criminal Practice Rules 1999
- Mabo v Queensland [No 2] (1992) 175 CLR
- Australian Constitution
 - 109 Inconsistency of laws and 117 Rights of residents in States
- Australian Human Rights Commission Act 1986
 - Schedule 2 - International Covenant on Civil and Political Rights
- Charter of Human Rights and Responsibilities Act 2006 - VICTORIA
- Human Right Act 2004 - ACT

APPLICATION

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ORDERS SOUGHT –

As the victim of the crime committed by Ms SHERYL LOUISE CORNACK:

- **I request the Court to pronounce that the hearing on 22.10.2015, in this matter by Ms CORNACK, as null and void – not having any legal consequences**
- I request that the Court issues the recommendation, to Police Commissioner of Queensland Police Service, that Ms CORNACK should be charged and prosecuted with the offence of falsifying the Court records
- I request that Ms CORNACK should publicly apologize to me for her conduct
- I request that Ms CORNACK should be subjected to rehabilitation process
- I request that Ms CORNACK be examined by a committee of her peers as to her professional knowledge of legal matters
- I request that Ms CORNACK be examined by a suitable committee to verify if she is fit and proper person to work as a ‘magistrate’ of Magistrate Court in Queensland (it is imperative that incompetent idiotic morons are removed from Queensland judiciary to improve it’s image in the community)
- I request that Ms CORNACK be examined by a professional doctor as to her mental health
- I request that Ms CORNACK be disqualified to hear the case QPS v Markan

This application will be heard by the Magistrate Court at Holland Park on: 06.05.2016 at 9 am

Filed in the Holland Park Registry on 03.02.2016

Registrar:

If you wish to oppose this application or to argue that any different order should be made, you must appear before the Court in person or by your lawyer and you shall be heard. If you do not appear at the hearing the orders sought may be made without further notice to you.

On the hearing of the application I intend to rely on the following Affidavit
Affidavit of Peter Markan sworn 27.01.2016

THE APPLICANT ESTIMATES THE HEARING SHOULD BE ALLOCATED 0.5 HOUR

PARTICULARS OF THE DEFENDANT:

Name: Peter Markan

Plaintiff’s residential or business address:
Peter Markan

Signed:
Description: *Defendant*

Dated: 03.02.2016

APPLICATION	Name: Peter Markan
Filed on Behalf of the Defendant	Address:
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