

# Max Owens & Co

## Barristers & Solicitors

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Principal  
M C OWENS LLB  
COMMISSIONER FOR AFFIDAVITS (WA)  
Email: max@maxowens.com.au  
ABN: 34100668958

LESCHENAULT LAW CHAMBERS  
2 Zoe Street BUNBURY WA 6230  
Phone: (08) 9721 5399  
Fax: (08) 9791 2207

Our Ref: MO:VO:152870:151  
Your Ref:

5 June 2018

**VIA EMAIL ONLY:** [laughton.andrew@gmail.com](mailto:laughton.andrew@gmail.com)

Andrew Laughton  
11B Keble Heights  
COLLEGE GROVE WA 6230

Dear Andrew,

**RE: District Court Appeal**

**Enclosed** is a copy of a two page letter received from the District Court on the 5 June 2018.

Yours faithfully,

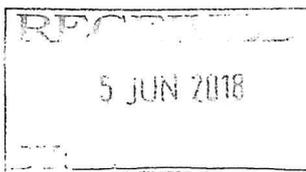


Per: Max Owens

Enc: District Court Letter



COPY

**DISTRICT COURT  
OF WESTERN AUSTRALIA**ABN: 70 598 519 443  
500 HAY STREET  
PERTH WA 6000  
TELEPHONE: 9425 2128  
FACSIMILE: 9425 2268

Mr A Laughton  
C/- Max Owens  
2 Zoe Street  
BUNBURY WA 6230

**Bunbury Appeal No 1 of 2017  
Laughton v Marsh**

I refer to your Application under the Civil Judgements Enforcement Act by which you seek:

- a) cancellation or amendment of an order
- b) a hearing

There are no enforcement applications or orders that have been made under the Civil Judgements Enforcement Act. in this appeal to the District Court of Western Australia

By the Civil Judgements Enforcement Act s. 9, any application that may be made under this Act must be made to the Court that gave the judgement and to the registry of that Court. It appears to me that the relevant Court is Magistrates Court and its Bunbury registry.

Accordingly there is no basis on which to bring an application to the District Court under that legislation and in my view to do so is an abuse of process. Having formed that view, I am obliged by the Rules of the Supreme Court Order 67 r.5 to refuse to accept the application in the absence of an order of a judge of this Court first had and received.

In so far as the application might more properly be regarded as an application in the appeal (and this regard I note you appear to be applying for an order extending the time for payment of security for costs) then it needs to be bought pursuant to the provisions of the District Court Rules 2005 r.58A and by use of the Form 9 prescribed thereunder. Further the filing fee payable



under the District Court (Fees) Regulations 2002 needs to be paid, before this Court could process your application.

I would observe that the order to which you appear to refer in paragraph 1 of your affidavit was made the 30 October 2017. It is the document that is dated the 22 May 2018, not the order.

Yours faithfully

  
PRINCIPAL REGISTRAR

30 May 2018

cc Mr A Laughton  
98 Proper Bay Road  
PORT LINCOLN SA 5606