

**SUPREME COURT OF WESTERN AUSTRALIA
COURT OF APPEAL**



Registrar's Chambers
Stirling Gardens, Barrack Street
Perth WA 6000
Telephone Number: (08) 9421 5333 Fax: (08) 9421 5471

Andrew Laughton
11b Keble Heights, College Grove
Bunbury WA 6230

Ref:

By post & email: laughton.andrew@gmail.com

Dear Sir

RE: CACV 9/19 - LAUGHTON v MARSH & Anor

I refer to the appellant's service certificate dated 4 February 2019, and received by the Court of Appeal Office on 13 February 2019.

Rule 29(4) of the *Supreme Court (Court of Appeal) Rules 2005* ('the Rules') requires an appellant to serve the appeal notice on the respondent **personally**.

Service on the respondents' solicitor does not constitute personal service unless the respondents' solicitor had instructions to accept service of the appeal notice on behalf of the respondent.

The Registrar also draws your attention to Rule 27 of the Rules that provides that an appeal is not commenced until an appeal notice has been **both** filed and served.

As the respondents have not filed a notice of respondents' intention the Registrar requires the appellant to file and serve an affidavit of personal service of the appeal notice by 25 February 2019. A copy of the Registrar's order is enclosed.

As previously advised in the Court's letter dated 23 January 2019, the appellant's case comprises a Form 7 cover sheet to which must be attached grounds of appeal, submissions, legal authorities, orders wanted, a draft chronology and draft appeal book indexes. No other material must be included in, or attached to, the appellant's case, for example emails, service certificates, etc. Please refer to Rule 32 of the Rules in regard to preparation of the appellants' case.

The three affidavits dated 11 February 2019 have not been accepted for filing.

Yours faithfully

A handwritten signature in black ink, appearing to be 'A. Laughton'.

Associate to the Court of Appeal Registrar

18 February 2019

Your Ref:

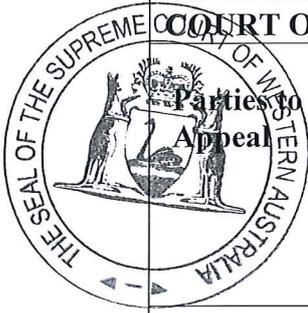
Our Ref:

Enquiries:

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SUPREME COURT OF WESTERN AUSTRALIA COURT OF APPEAL		NO: CACV/9/2019 ORDER
Parties to the Appeal	Andrew LAUGHTON Sharyl MARSH James Glynn MARSH	Appellant First Respondent Second Respondent
Date:	18 February 2019	
Coram:	Registrar Eaton	

ORDER

IT IS ORDERED THAT, the appellant file an affidavit of personal service of the appeal notice on the respondents by 25 February 2019.

Signature of Registrar	Registrar Eaton Court of Appeal Registrar	18 February 2019
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