



## HIGH COURT OF AUSTRALIA

### NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 04 Oct 2024 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

#### Details of Filing

File Number: B11/2024  
File Title: Cherry v. State of Queensland  
Registry: Brisbane  
Document filed: Form 3 - Order -(Gageler CJ - 27.9.24)  
Filing party: HCA  
Date filed: 04 Oct 2024

#### Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

**Form 3 – Order**

Note: see rule 8.01.2

B11/2024

IN THE HIGH COURT OF AUSTRALIA  
BRISBANE REGISTRY

BETWEEN:

RODNEY MICHAEL CHERRY  
Plaintiff

and

STATE OF QUEENSLAND  
Defendant

**ORDER**

JUSTICE: Chief Justice Gageler

DATE GIVEN: 27 September 2024

INITIATING PROCESS: Consent dated 27 September 2024



BY CONSENT THE COURT ORDERS THAT:

1. Pursuant to r 27.08.1 of the *High Court Rules 2004* (Cth), leave is granted to the parties to state the questions of law arising in the proceeding in the form of a special case for the opinion of the Full Court in the form filed on 9 September 2024.
2. By 4:00pm on 9 October 2024, the plaintiff file and serve a special case book prepared in accordance with an index settled by the Registrar.
3. By 4:00pm on 21 October 2024, the plaintiff file and serve written submissions of no more than 20 pages.
4. By 4:00pm on 4 November 2024, any interveners in support of the plaintiff file and serve written submissions of no more than 20 pages.
5. By 4:00pm on 22 November 2024, the defendant file and serve written submissions of no more than 20 pages.
6. By 4:00pm on 6 December 2024, any interveners in support of the defendant file and serve written submissions of no more than 20 pages.
7. By 4:00pm on 24 January 2025, the plaintiff file and serve any written submissions in reply of no more than 5 pages.
8. By 4:00pm on 31 January 2025, the plaintiff file and serve a joint book of authorities prepared in accordance with Practice Direction No 1 of 2019.

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This order was taken out by the Plaintiff

9. Subject to any further order, Part 44 of the *High Court Rules 2004* (Cth) apply, with necessary adaption, to this proceeding.
10. The special case be fixed for hearing, with an estimate of one day, on a date to be advised.
11. The parties have liberty to apply on three days' written notice.
12. Costs reserved.

DATE AUTHENTICATED

4 October 2024



A handwritten signature in blue ink, consisting of a series of loops and flourishes, positioned above the title "Deputy Registrar".

Deputy Registrar