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TRANSCRIPT OF PROCEEDINGS

O/N 59102

FEDERAL COURT OF AUSTRALIA

NEW SOUTH WALES REGISTRY

GYLES J

No NSD 674 of 2007

JOHN WILSON

and

THE DEPUTY COMMISSIONER OF TAXATION

SYDNEY

9.35 AM, TUESDAY, 17 JULY 2007

MR J. WILSON, applicant, appears in person

MR P. RODIONOFF appears for the respondent

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MR P. RODIONOFF: If your Honour pleases, I appear for the Deputy Commissioner of Taxation in that matter.

HIS HONOUR: Yes, Mr Rodionoff.

MR RODIONOFF: Mr Wilson is present in person, your Honour, or he was.

HIS HONOUR: Is Mr Wilson present?

MR RODIONOFF: He was here a few minutes ago. There he is, your Honour.

HIS HONOUR: Yes. I will come back to the first matter in a moment. Mr Wilson, are you –

MR J. WILSON: Yes, I am Wilson.

HIS HONOUR: Yes, all right. What do you propose in this appeal of yours?

MR WILSON: Well, it has got to be heard by a jury for a start.

HIS HONOUR: Yes, I see.

MRWILSON: So all I want now is a date set to empanel a jury.

HIS HONOUR: Yes, well, that won't be done.

MR WILSON: Well, you are denying trial by jury.

HIS HONOUR: I am not going to grant you trial by jury. No, I am not.

MRWILSON: If you are denying trial by jury that is treason.

HIS HONOUR: All right.

MR WILSON: It is.

HIS HONOUR: Well, Mr Wilson, you either do or not wish to pursue your appeal. If you don't want to I will strike it out.

MRWILSON: I do wish to appeal to the proper jurisdiction. You have no jurisdiction to proceed summarily. None.

HIS HONOUR: Did you hear what I said?

MRWILSON: I don't give my consent to be without a jury.

HIS HONOUR: All right, well, I will –

MR WILSON: That is all there is to it. When are you going to empanel a jury?

HIS HONOUR: What order do you seek?

MR WILSON: There is no court otherwise.

HIS HONOUR: What order do you seek?

MR RODIONOFF: Well, your Honour, it's not clear to me the basis of the appeal and upon it's –

HIS HONOUR: Well, you have just heard what the fellow has said.

MR RODIONOFF: Yes, your Honour. I would seek to strike out the appeal, your Honour.

HIS HONOUR: Yes, the appeal is struck out.

MR WILSON: You have got no jurisdiction.

HIS HONOUR: No, I have just done it.

MR WILSON: You are a criminal and a traitor.

HIS HONOUR: Yes, all right.

MR WILSON: It's not all right, at all.

MR RODIONOFF: Your Honour, before you move on, could I seek an order for costs?

HIS HONOUR: Yes, the appellant will pay the costs.

MR WILSON: You will be receiving an indictment for treason.

HIS HONOUR: Yes, thank you very much.

MATTER ADJOURNED at 9.37 am INDEFINITELY

.NSD674/2007 17.7.07

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