

COURT OF APPEAL

McMURDO P

Appeal No 3447 of 2001

NATIONAL AUSTRALIA BANK LIMITED                      Respondent (Plaintiff)

and

SANTE TROIANI                                              First Appellant (First Defendant)

and

RITA CESARINA TROIANI                      Second Appellant (Second Defendant)

BRISBANE

..DATE 14/03/2002

ORDER

THE PRESIDENT: Mr Troiani has asked for an adjournment of this matter which was listed for hearing at a recent callover on the 10 April 2002. The appeal is an old matter. It was filed on 18 April 2001. It has been listed for a mention in July last year when directions were given and not complied with. It was listed for hearing of the appeal on 22 November and adjourned.

The directions given by The Chief Justice on that occasion were not complied with within the time. The appellant has been given considerable leniency by the Court in not meeting time frames. No doubt, in part, because he is unrepresented.

He claims that if the matter is adjourned he will have more time to get some more information that may be helpful to his appeal but this does not persuade me that an adjournment of the matter would mean that he would receive any further information which could help him in his appeal.

I can see no reason for delisting the hearing of this appeal on 10 April 2002. The appeal will proceed at that time.

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