

SUPREME COURT OF QUEENSLAND

CITATION: *Doonan v McKay* [2002] QCA 531

PARTIES: **BERNARD GEORGE DOONAN**
(appellant/applicant)
v
JAMES ASHLEY MCKAY
(respondent)

FILE NO/S: CA No 228 of 2002
DC No 642 of 2002

DIVISION: Court of Appeal

PROCEEDING: Application for leave s 118 DCA (Criminal) - Further Order

ORIGINATING COURT: District Court at Brisbane

DELIVERED ON: Judgment delivered 29 November 2002
Further order delivered 6 December 2002

DELIVERED AT: Brisbane

HEARING DATE: 14 November 2002

JUDGES: de Jersey CJ, Williams JA and Mullins J
Further Order of the Court

FURTHER ORDER: **Order that the order pronounced on 29 November 2002 be amended.**

CATCHWORDS: COSTS

COUNSEL: R A Mulholland QC, with A J Macsporrán, for the appellant/applicant
M J Byrne QC, with G R Allan, for the respondent

SOLICITORS: C W Lohe, Crown Solicitor for the appellant/applicant
Anderssen & Company for the respondent

[1] **THE COURT:** Order that the order pronounced on 29 November 2002 be amended as follows:-

1. Add to paragraph 2 the following:
“and the order that the complainant pay the respondent’s costs of the matter in a sum to be agreed or to be determined on a date to be fixed.”
2. Add to paragraph 5 the following:
“Order that the respondent pay the complainant’s costs of the hearing of the application for a permanent stay of the complaint before the Magistrates Court assessed on the

standard basis on the Magistrate's Court scale as set out in the *Justices Act* 1886.