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**FEDERAL COURT OF AUSTRALIA  
VICTORIA REGISTRY**

A.B.N. 49 110 847 399

305 WILLIAM STREET  
MELBOURNE VIC 3000

Your Ref:  
Our Ref:

5 August 2013

Mr Brian Shaw  
P.O. Box 800  
WERRIBEE VIC 3030

And by email to:

[brianshaw1947@gmail.com](mailto:brianshaw1947@gmail.com)

Dear Mr Shaw,

**Re: Documents submitted to Victoria Registry on 1 August 2013**

I refer to the originating application, affidavit and annexures that you presented to the Victoria registry of the Court for issuing and filing on 1 August 2013. The documents have been referred to me as the duty registrar.

The proposed originating application names as respondents the Australian Electoral Commission, Mr Kevin Rudd and Mr Tony Abbott. The application seeks interlocutory relief including an injunction to prevent the holding of the forthcoming federal election.

As you may be aware, the Federal Court has jurisdiction only in relation to matters arising under federal law. The basis of your claim against Mr Rudd and Mr Abbott appears to be that they "did have actual and constructive knowledge of the fact that the Crown and Monarch had been removed without any referendum whatsoever and that Julia Gillard and others had been criminally charged". The precise nature of your proposed claims against Mr Rudd and Mr Abbott is not made clear. In particular, no specific breach of federal law is alleged or relief sought in relation to them, save for an injunction to restrain the election which is said to be sought against "all respondents". I note that pursuant to the *Commonwealth Electoral Act 1918*, the Australian Electoral Commission is responsible for conducting federal elections and that you seek to restrain it from doing so in this proceeding.

In the circumstances outlined above, I am not satisfied that the material filed discloses a cause of action against Mr Rudd or Mr Abbott that would enliven the jurisdiction of the Federal Court of Australia.

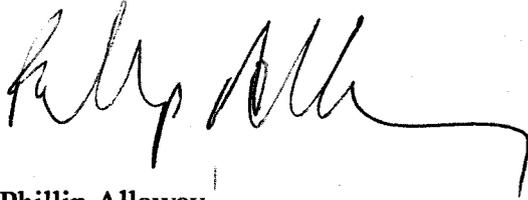
The only other relief sought in the proposed originating application is that "the matter to be immediately remitted back to the Full Court, Supreme Court of Victoria for all Grand Jury applications lodged prior to 1 January 2010". The affidavit you affirmed on 31 July 2013

states that grand jury applications against several individuals have been lodged in the criminal jurisdiction of the Full Court of the Supreme Court of Victoria, and that those applications are pending. Those applications are matters for the court concerned, they are not matters in respect of which the Federal Court has jurisdiction. Accordingly, the relief sought in relation to the remittal of the matter to the Full Court of the Supreme Court of Victoria is not relief that the Federal Court of Australia is able to grant.

For the reasons indicated in this letter, pursuant to r2.26 of the *Federal Court Rules 2011*, I have refused to accept the documents for filing that you presented on 1 August 2013 on the basis that they are an abuse of the process of the Court. The documents are returned to you with this letter.

If you are minded to submit amended documents for issuing and filing, I respectfully suggest that you have regard to the matters raised above before doing so.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Phillip Allaway', with a long horizontal flourish extending to the right.

Phillip Allaway  
Deputy District Registrar

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