

20050521 Donnelly Summons Service
cc: Registrar of the Brisbane Magistrates Court.

Garth Steven Donnelly,
502 St Pauls Terrace,
Fortitude Valley.

Dear Sir,

I served you Friday morning, the 20 May, 2005, at about 11:40 at your work at 502 St Pauls Terrace, with a Summons to a Witness. That was issued by the Brisbane Magistrates Court and Registered by them earlier that morning. It is a legal document. It is improper for anyone to attempt to prevent lawful service of a legal court document.

You tried to avoid service. I asked your receptionist if you were in and she replied that you were [and I thought, I am lucky] and she asked who was calling. I advised "Mathews". She toddled off. She was away for a while so I watched to see from where she reappeared. She reappeared from the right side at the end of the corridor. As she came past, she said you would not be long. She went across to another office. She returned to say I could not see you. I proceeded to go down the corridor to the area from which she had reappeared. She called after me that I could not do that. She called out to other people. Needless to say, I went to the end of the corridor and saw you behind a desk. You were the only person in that part of the building. I recognised you from your billiard ball pate; as a badger. I advised you that I had now served you. I placed the Summons on your desk in front of you. You moved it slightly with you hands as you glanced at it. Numerous other people were then yelling at me and badgering me and telling me to leave in violent and threatening tones and volumes. I was fearful. I left to avoid being assaulted.

Now, because of the threatened assault against me that you had prompted, I omitted to give you "Conduct money". "Conduct money" is provided to permit a person to honour a Summons/subpoena. This is to ensure that a person is not prevented from honouring a subpoena solely because they cannot get to court through being indigent. You are entitled to be reimbursed for reasonable expenses

incurred in honouring a Summons to a Witness, if it is viewed as reasonable by the Magistrate.

I note that the Brisbane City Council (BCC), your employer, is the complainant in this “criminal” [VG00] charge against me. I know you have a “Council” vehicle or access to one and to parking on BCC provisions. It would not be an impossible walk for you, the fit young man that you are [albeit billiard] to attend the Brisbane Magistrates Court at 363 George Street Brisbane.

You have evidence which can be very useful in my defence. Your behaviour today ADDS towards showing that you are a hostile witness, as well. Your being a hostile witness means I can cross examine you in your Evidence in Chief.

If you are otherwise unable to get to court at the time as per the Summons of a Witness which document I served upon as above, because you are indigent, please advise me of the circumstances and how I can transfer Conduct money to you, to ensure you are able to appear in court. The amount will need to be justifiable. Please advise me the amount of money you need and how I may be able to transfer it to you. I suggest a bank transfer or BPay payment, so please advise me of your bank account details and name in which it is kept, or the BPay payer number and reference number. In reality, I doubt that you are indigent and will be unable to attend the court due to an inadequacy of funds. You will be entitled to claim your costs of appearance.

I am sending copies of this email to Paul Wesener, and to the Registrar of the Brisbane Magistrates Court.

I am attaching copies of emails emanating from Garth Donnelly, and released to me by FOI. The purpose of these is to show the calibre of matters surrounding Donnelly.

I will warrant that Donnelly has already been in email contact with Wesener. Those documents concern me so should be produced as I have requested in court, on the Summons to a Witness, all documents concerning me.

Additional to Registrar, Magistrates Court.

Dear Sir,

I am forwarding a copy of an email I have just sent to Garth Donnelly, with a cc: to yourself. This is so that you can see the exactly document that was received by Donnelly. It states the facts re my service on Donnelly and the way in which I was threatened and intimidated. I am disabled and that is shown on the (your) court file re this charge.

I have attached to this a scan of the Summons to a Witness that I served upon him.

I have been prevented from providing him with conduct money. If he does not respond on the 1 June, 2005, I want a warrant issued for his arrest and his being brought to court.

I desire that all this information is placed on the file for the charge against me to be heard summarily on 1 June, 2005, as per the charge statement on the Summons to Donnelly, as attached.

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