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**FEDERAL COURT OF AUSTRALIA
VICTORIAN REGISTRY**

A.B.N. 49 110 847 399

COMMONWEALTH LAW COURTS BUILDING
305 WILLIAM STREET
MELBOURNE VIC 3000

7 October 2021

Mr Michael Thomas Holt
~~XXXXXX Street~~
Maroochydore QLD 4558

By email only: mthomholt@gmail.com

Dear Mr Holt

RE: DOCUMENTS PRESENTED FOR FILING

I refer to the following documents presented to the Queensland Registry of the Federal Court of Australia on 7 October 2021:

- two letters addressed to the Registrar dated 20 September 2021;
- a Form CP14 indictment dated 20 September 2021; and
- a Form CP15 indictment information notice dated 20 September 2021 (together, the **Documents**).

I understand that the purpose of the Documents is to commence an action for crimes against humanity against the State of Queensland under ss 268.12 and 268.20 of the *Criminal Code Act 1995* (Cth) (the **Criminal Code**).

The Documents have been referred to me for consideration as to whether the Registry should accept them for filing.

Rule 2.26 of the *Federal Court Rules 2011* (Cth) (the **Rules**) states that a Registrar may refuse to accept a document (including a document that would, if accepted, become an originating application) if the Registrar is satisfied that the document is an abuse of the process of the Court, or is frivolous or vexatious on the face of the document, or by reference to any documents already filed or submitted for filing with the document.

I am of the view that the Documents should be refused for filing under r 2.26 of the Rules because they are an abuse of process and the proceedings they purport to commence are doomed to fail.

The Federal Court of Australia does not have jurisdiction to determine offences for crimes against humanity under the Criminal Code. Such offences are federal offences that may only be prosecuted in state or territory courts exercising federal jurisdiction: see by way of guidance, ss 39B(1A)(c) and 68(2) of the *Judiciary Act 1903* (Cth), and Div 1A of the *Federal Court Act 1976* (Cth).

I recommend that you seek independent legal advice in relation to this matter prior to filing any further documents with the Court.

Yours faithfully

A handwritten signature in cursive script that reads "Amelia Edwards".

Amelia Edwards
Judicial Registrar