From: **Wilson Tighe** [redacted]
Subject: Court outcome - 10 June 2025 - Charge Dismissed
Date: 16 June 2025 at 20:06
To: Tony Smith [redacted]

TW

Dear Tony,

I refer to your proceeding before Downing Centre Local Court and confirm that I appeared on your behalf at Contested Hearing on 10 June 2025.

I provide this email as a record and to confirm the Court outcome.

Your hearing was today listed before Magistrate Milledge. Upon arrival in the Court room I was informed by the police prosecutor that the witness, RUSHTON was not in attendance at court and running late as he had a medical appointment. The Prosecutor sought an adjournment of this case in the circumstances and this was opposed by myself on your behalf.

You will recall the case was stood down (put on hold) until 11am, when RUSHTON did in fact attend. The case was further delayed and shortly after 12pm RUSHTON had left court and informed the prosecution he would not give evidence.

Adjournment refused - charge withdrawn and dismissed

I confirm the prosecutor applied to adjourn the case but this was refused. The charge was then withdrawn by police and marked dismissed by the court.

You instructed that an application for costs proceed and this was advanced on your behalf. You were advised prior to the costs application that it would most likely be refused and the court, although hearing the application, refused to grant costs in your favour.

Your attendance and police report - prospect of private AVO application

I understand that you attended upon police and provided a report and the Cybertrace report in relation to RUSHTON and his continuing conduct.

In the event police do not commence action on your behalf, you may have grounds to commence a private application for ADVO. Should you wish to pursue this option, do not hesitate to contact me.

Finalisation of this matter

I confirm this matter has now finalised.

My office will proceed to close your file for this matter and issue a final invoice.

I thank you for your instructions and hard work preparing documents, the Cybertrace report, meeting with myself and coordinating Tom Mellor to also attend and assist you at Court and in defence of this matter.

Regards,



Wilson Tighe
Senior Associate

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