



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 30 Jun 2022 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

Details of Filing

File Number: M32/2022
File Title: Davis v. Minister for Immigration, Citizenship, Migrant Servic
Registry: Melbourne
Document filed: Form 27B - Appellant's chronology
Filing party: Appellant
Date filed: 30 Jun 2022

Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY

No. M32 of 2022

BETWEEN:

MARTIN JOHN DAVIS

Appellant

and

**MINISTER FOR IMMIGRATION, CITIZENSHIP, MIGRANT SERVICES
AND MULTICULTURAL AFFAIRS**

First Respondent

SECRETARY OF DEPARTMENT OF HOME AFFAIRS

Second Respondent

**ASSISTANT DIRECTOR, MINISTERIAL INTERVENTION,
DEPARTMENT OF HOME AFFAIRS**

Third Respondent

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APPELLANT'S CHRONOLOGY

Part I – Certification

This chronology is in a form suitable for publication on the internet.

20 Part II – List of principal events leading to litigation

Date	Event	Reference
9.7.97	Appellant arrived in Australia as the holder of a working holiday visa, accompanied by his then partner, an Australian citizen.	CAB ¹ 6
1997	Appellant claims that he lodged an application for a partner visa.	CAB 7
7.7.98	Appellant departed Australia.	CAB 6
28.8.98	Appellant re-entered Australia as the holder of an Electronic Travel Authority (subclass 976) (ETA).	CAB 6
15.9.14	Appellant departed Australia to travel to the United Kingdom to visit his terminally ill mother.	CAB 6, 11; JM ² 9

¹ Core Appeal Book.

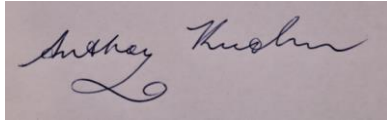
² Joint Materials filed by parties under rules 44.02.4 and 44.03.4 of High Court Rules.

Date	Event	Reference
11.11.14	Upon seeking to return to Australia, Appellant discovered that he did not hold a current visa. Appellant granted an ETA permitting entry to Australia.	CAB 6, 8-9
19.5.15	Appellant granted Temporary Work (Skilled) (subclass 457) visa.	CAB 6
20.7.16	Appellant applied for Partner (subclass 820/821) visa.	CAB 6
23.5.17	Appellant's subclass 457 visa cancelled under s 116 of the <i>Migration Act 1958</i> (Cth).	CAB 6
12.6.18	Delegate of Minister refused to grant Partner visa to the Appellant.	CAB 6
14.1.19	Administrative Appeals Tribunal affirmed delegate's decision to refuse to grant Partner visa.	CAB 6
11.2.19	Appellant requests Minister to exercise power under s 351 of the <i>Migration Act 1958</i> (Cth).	CAB 6, 29-30; JM 5-45
8.5.19	Assistant Director decided that the request did not meet the Guidelines and that "in accordance with the Guidelines, the Department should finalise this request without referral".	CAB 5-12
15.5.19	Appellant's representatives complain to Department in relation to a failure to consider various elements in the Appellant's submissions that meet the Ministers guidelines for referral.	CAB 30-31; JM 59-62
20.5.19	Assistant Director decides not to refer the Appellant's request to the Minister because it did not meet the Guidelines for referral of a "repeat request".	CAB 14-15
1.8.19	Amended originating application for relief under s 39B of the <i>Judiciary Act 1903</i> (Cth) filed in Federal Court of Australia.	CAB 16-21
4.3.20	Further amended originating application for relief under s 39B of the <i>Judiciary Act 1903</i> (Cth) filed in Federal Court of Australia	CAB 16-21
9.6.20	Application dismissed by the Federal Court (O'Callaghan J)	CAB 22-41
16.6.20	Appellant filed notice of appeal.	
22.10.20	Appellant filed amended notice of appeal	CAB 43-49
23.11.20	Appeal dismissed by Full Court of the Federal Court	CAB 50-160

Dated: 30 June 2022



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