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IN THE COUNTY COURT OF VICTORIA AT MELBOURNE

THE ATTORNEY GENERAL FOR THE STATE OF VICTORIA

Plaintiff

and

BRIAN WILLIAM SHAW

Defendant

IN THE MATTER of an application under section 54 of the **Vexatious Proceedings Act 2014**

APPLICATION FOR LEAVE TO COMMERCE PROCEEDING BY PERSON SUBJECT TO GENERAL LITIGATION RESTRAINT ORDER

Date of Document:	DECEMBER 2016	Solicitors Code:	NA.
Filed on Behalf of:	DEFENDANT	Telephone:	
Prepared by:	DEFENDANT	DX	
		Ref:	- 0487195522 -
			- SMS ONLY -

I, Brian William Shaw, a person subject to a general litigation restraint order Justice Hanson 2007, apply under section 54 of the **Vexatious Proceeding Act 2014** for leave to commence a proceeding.

In accordance with section 55 of that Act, I contend that the proposed proceeding would not be a vexatious proceeding, namely that:

1. The Victorian Electoral Commission (Mr Warwick Gately) is currently operating outside of a Constitutional "Grant of Power"
2. The Victorian Electoral Commission (Mr Warwick Gately) in particular Mr. Warwick Gately was the former Western Australian Electoral Commissioner and is one of principal offender in relation to the Western Australia overt Act, and as such has activated criminal intent upon the electors of The State of Victoria, The State of Western Australia, and the Commonwealth of Australia.
3. The Consequence of the overt Act (WA) results in invalid election writs at State and Commonwealth Jurisdictions.
4. All purported state legislation enacted and operating that are inconsistent with the Commonwealth Constitution are ultra vires and invalid.
5. The purported State of Victoria is allegedly a contractual entity under the Uniform Commercial Code (U.C.C) of UNITED STATES.
6. The inclusion of the words State and Commonwealth in the "Overt Act" in Western Australia by not specifying "which Commonwealth", have essentially transferred by deception all of the land and resources of Australia into UNITED STATES under the purported entity of Uniform Commercial Code (U.C.C.)

7. This action is not vexatious because it is the discovery of criminal actions against the people of Australia, inclusive of the State of Victoria.

ORDERS SOUGHT

The applicant seeks—

1. Leave to commence a proceeding, namely an appeal to the County Court listed for 7th September 2016 from an order of Magistrates Court of Victoria at Melbourne made by Judicial Registrar Dixon on 28th June 2016.
2. Any further orders the court would deem to be judicial fairness

ACCOMPANYING AFFIDAVIT

This application is accompanied by an affidavit disclosing the details required under section 56 of the **Vexatious Proceedings Act 2014**

FILED _____ (date)

This application was filed – *By BRIAN HILARY SHAW*

(a) By the applicant in person. *(DEFENDANT)*

The address of the applicant is:

*9/ PO Box 800
WERRIBEE 3038 (VIC)*

Date: _____

Brian Hilary Shaw

Signed