jCONFISCATION LISTI C I - 1 5 - 00123

# CI-15-000123

IN **THE COUNTY COURT OF VICTORIA AT MELBOURNE**

**IN THE MATTER** of the *Confiscation Act* 1997

-and-

**IN THE MATTER** of property which a member of the police force suspects on reasonable grounds to be tainted in relation to a Schedule 2 offence.

and

**IN THE MATTER** of an application by The DIRECTOR OF PUBLIC PROSECUTIONS for Victoria

# APPLICATION UNDER SECTION 36K OF THE ACT FOR A CIVIL FORFEITURE RESTRAINING ORDER

Prepared on behalf of the Applicant by Douglas Green

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Reference: Confiscations/689

**TO:** the Registry of the County Court of Victoria.

**TAKE NOTICE THAT** the Director of Public Prosecutions for Victoria **(Applicant) MAKES APPLICATION** under section 36K(l) of the *Confiscation Act* 1997

# (Confiscation Act) FOR A CIVIL FORFEITURE RESTRAINING ORDER in

respect of property in which a member of the police force suspects on reasonable grounds is tainted property in relation to a Schedule 2 offence.

THE ADDRESS OF SERVICE of the Applicant is 565 Lonsdale Street, Melbourne in the State of Victoria.

# PARTICULARS OF APPLICATION

1. THE JURISDICTION to make the order sought arises because a member of the police force suspects on reasonable grounds that property the subject of this application is tainted property in relation to a Schedule 2 offence.
2. THE APPLICANT is the Director of Public Prosecutions.
3. THE APPLICATION IS IN RESPECT OF the property situated 16 Valley Street Black Rock more particularly described in Certificate of Title Volume 05943 Folio 987.
4. THE GROUNDS on which this application is made are as follows:
	1. the property described in paragraph 3 of this application is property which a member of the police force suspects on reasonable grounds to be tainted property in relation to a Schedule 2 offence, namely, cultivating a commercial quantity of cannabis.
5. THE PURPOSE OF THE ORDER SOUGHT is:
	1. to satisfy any civil forfeiture order that may be made under Division 2 of Part 4 of the Confiscation Act.

**THE APPLICANT RELIES** upon the affidavit made by Detective Senior Constable Lisa McDonald dated 13 January 2015 and filed in support of this application.

Date: 13 January 2015

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On behalf of the A t

# PARTICULARS OF HEARING

This application will be heard before the Judge in charge of the Confiscation List in the County Court at 250 William Street, Melbourne on the 20th of January 2015 at 9:30 am or as soon afterwards as the business of the court allows.

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