

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

CC CASE NO. :
DCLD CASE NO. : 5680/2002

In the matter between :

SCHABIR SHAIK

APPLICANT

and

THE MINISTER OF JUSTICE

FIRST RESPONDENT

NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS

SECOND RESPONDENT

**LEONARD McCARTHY - THE INVESTIGATING
DIRECTOR : DIRECTOR OF SPECIAL OPERATIONS**

THIRD RESPONDENT

WILLIAM JOHN DOWNER

FOURTH RESPONDENT

GERDA FERREIRA

FIFTH RESPONDENT

AND in the matter of an application for leave to
appeal in terms of Rule 18 of the Uniform Rules
of the Constitutional Court

NOTICE OF MOTION

KINDLY TAKE NOTICE THAT the Applicant hereby makes application to the
above Honourable Court for the following relief :

1.

The Applicant be and is hereby granted leave to appeal to the Constitutional Court against the judgment of the Honourable Mr Justice McLaren handed down on 18 July 2003, in the Durban and Coast Local Division of the High Court of the Republic of South Africa, on the issues set forth in the certificate granted by the Learned Judge.

2.

That the costs of this application be costs in the appeal.

3.

Further and/or alternative relief.

KINDLY TAKE NOTICE THAT the affidavit of the Applicant annexed hereto will be used in support of the application.

KINDLY TAKE NOTICE FURTHER THAT the Applicant appoints the address stated at the end of this document, as the address at which he will receive copies of all notices and processes in this application.

3rd Floor, Sangro House
417 Smith Street
DURBAN
(REF : 116/506/02/S/P13)
(Mr Kevan)