

FORM 5G

Rule 5.02(2), 56.01(2)

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE  
COMMON LAW DIVISION  
JUDICIAL REVIEW AND APPEALS LIST

No S ECI 2024

B E T W E E N

AUNTY ALMA THORPE  
First Plaintiff

UNCLE ROBBIE THORPE  
Second Plaintiff

-and-

ROD RATCLIFF, PROTHONOTARY  
First Defendant

JACLYN SYMES, ATTORNEY-GENERAL OF VICTORIA  
Second Defendant

**ORIGINATING MOTION**

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Date of Document: 5 May 2024

Solicitors Code: —

Filed on behalf of: Plaintiffs

DX: —

Prepared by: Robert Thorpe  
21 Smith St  
Fitzroy VIC 3065

Telephone: 0422 200 696  
Ref: Elders Genocide Case Against Victoria  
Email: bunjilsfire@gmail.com

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**TO THE DEFENDANT**

**TAKE NOTICE** that this proceeding by originating motion has been commenced by the plaintiff for the relief or remedy set out below.

**IF YOU INTEND TO DEFEND** the proceeding, **YOU MUST GIVE NOTICE** of your intention by filing an appearance within the proper time for appearance stated below.

**YOU OR YOUR SOLICITOR** may file the appearance. An appearance is filed by:

- (a) filing a "Notice of Appearance" with the Prothonotary by submitting the Notice of Appearance for filing electronically in RedCrest or in person at the Principal Registry, 450 Little Bourke Street, Melbourne. See [www.supremecourt.vic.gov.au](http://www.supremecourt.vic.gov.au); and
- (b) on the day you file the Notice, serving a copy, sealed by the Court, at the plaintiff's address for service, which is set out at the end of this originating motion.

**IF YOU FAIL** to file an appearance within the proper time, the plaintiff **MAY OBTAIN JUDGMENT AGAINST YOU** without further notice.

**IF YOU FILE** an appearance within the proper time, the plaintiff cannot obtain judgment against you except by application to the Court after further notice to you. There will first be a directions hearing of which you will receive notice by summons or otherwise.

**THE PROPER TIME TO FILE AN APPEARANCE** is as follows:

- (a) where you are served with the originating motion in Victoria, within 10 days after service;

FILED

Deputy Prothonotary

## THE PLAINTIFF CLAIMS:

The Writ submitted for electronic filing in the Supreme Court of Victoria on Anzac Day, Thursday 25 April 2024, and allocated eFile ID 405229 — New Case Request: between Aunty Alma Thorpe, first plaintiff, Uncle Robbie Thorpe, second plaintiff, and State of Victoria, defendant—be filed by Rod Ratcliff, Prothonotary, and dated 25 April 2024 and allocated a proceeding number commencing S ECI 2024.

## THE GROUNDS RELIED UPON ARE:

1. Whether it is an abuse of process for the chief clerk of the supreme court of the State of Victoria to refuse to issue legal proceedings against the State of Victoria by We Elders, being undisputed victims of the undisputed genocide against Us and Our Peoples and all First Peoples, by the State of Victoria when the said State of Victoria with all our stolen resources is more than capable of defending itself in such a claim and needs no protection from liability by the chief clerk and may indeed admit liability and agree to the terms of the claim once issued and served.
2. Whether it is an abuse of process for the chief clerk of the supreme court of the State of Victoria, an undisputed genocidal kleptocracy that has stolen Our Lands and usurped Our Laws, to refuse to allow the truth of Our Claims to be established by evidence and law in a court of justice.
3. Whether it is beyond the power of any clerk of this court so deeply complicit in the genocide of First Peoples here to refuse to issue legal proceedings concerning the ongoing genocide against Us brought by Our Elders seeking to prevent any further genocide and to hold the State of Victoria responsible and accountable.
4. Whether the chief clerk took into account irrelevant considerations (such as the claimed immunity and impunity and of the State of Victoria for genocide) and failed to take into account relevant considerations (such as the ongoing genocide against First People here and the universal obligation to investigate, stop, prevent and punish such genocide).
5. Whether the chief clerk failed to take into account relevant considerations (such as Our unceded sovereignty and the absence of any document evidencing Our consent to the occupation of Our Lands and the usurpation of Our Law by the State of Victoria) and took into account irrelevant considerations (the exile or extermination of the exterminating State of Victoria).
6. Whether the chief clerk has a duty to stop and prevent the crime of genocide against Us.
7. Whether the chief clerk knowingly and deliberately and with intent to destroy Us failed in his duty to stop and prevent the crime of genocide against Us.
8. Whether the chief clerk is complicit in the crime of genocide against Us and should be so charged forthwith.
9. Whether Our Law governs all people and lands here in the absence of any treaty or agreement or other document evidencing our Consent to the usurpation of our law by anyone or any entity.
10. Whether under Our Law it is even possible for Us to consent to the usurpation of The Ancient Unchangeable Custodial Law Of This Land.

11. Whether the chief clerk can ignore the existence and jurisdiction of the International Court of Justice and the International Criminal Court.

12. Whether the chief clerk understands, accepts and acknowledges that the International Court of Justice can make decisions regarding the true sovereigns and true laws and true ownership of lands.

14. Whether the chief clerk understands, accepts and acknowledges that the International Criminal Court has jurisdiction to prosecute him for genocide since the State of Victoria is manifestly unwilling and unable to do so itself.

15. The chief clerk failed to consider the relevant fact that the State of Victoria had previously admitted that Our Sovereignty has never been ceded as set out in the statement of claim in the writ at paragraphs 4(b) 27 April 2023 (c) 18 April 2024 (d) 31 March 2023. Note that the State of Victoria continues to admit this fact e.g. on 29 April 2024 (elected leader Jacinta Allan representing State of Victoria).

16. The chief clerk deliberately refused to apply the legal significance of this fact to the document before him.

17. The chief clerk deliberately refused to accept that the State of Victoria had made the decision (repeatedly) to surrender and give up its war against Us First Peoples.

18. The chief clerk deliberately decided that the State of Victoria could not be “a nullity” when there are obviously other options for the State of Victoria including by necessity its passive continuance as necessarily authorised by Us First Peoples pending and including ongoing changes ordered by Us First Peoples as We begin to heal and sort out matters amongst Ourselves free of any interference or coercive control of any kind by the State of Victoria.

FURTHER PARTICULARS of the claim appear in the affidavit made in support of the claim. A copy of the affidavit and of any exhibit to the affidavit is served with this originating motion.

1. Place of trial — (If no place of trial is specified, trial will be in Melbourne.)
2. This originating motion was filed by the plaintiffs in person;
3. The address of the plaintiffs is CAMP SOVEREIGNTY, Kings Domain, Melbourne — near Government House and Shrine of Remembrance.
4. The address for service of the plaintiffs is Camp Sovereignty.
5. The email address for service of the plaintiffs is [bunjilfire@gmail.com](mailto:bunjilfire@gmail.com)
6. The address of the defendant is 450 Little Bourke St, Melbourne.

FORM 4B

Rule 4.10(2)

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE  
COMMON LAW DIVISION  
JUDICIAL REVIEW AND APPEALS LIST

No S ECI 2024

BETWEEN

AUNTY ALMA THORPE  
First Plaintiff

UNCLE ROBBIE THORPE  
Second Plaintiff

-and-

ROD RATCLIFF, PROTHONOTARY  
First Defendant

JACLYN SYMES, ATTORNEY-GENERAL OF VICTORIA  
Second Defendant

**PROPER BASIS CERTIFICATION**

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Date of Document: 5 May 2024

Solicitors Code: —

Filed on behalf of: Robert Thorpe

DX: —

Prepared by: Robert Thorpe  
21 Smith St  
Fitzroy  
VIC 3065

Telephone: 0422 200 696

Ref: State of Victoria surrender

Email: bunjilfire@gmail.com

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In accordance with section 41 of the Civil Procedure Act 2010, I Robert Thorpe certify to the Court that, in relation to my Writ submitted for filing on 25 April 2024, on the factual and legal material available to me at present each claim in the document has a proper basis and each question posed to the Court in the document has a proper basis.

Date: 5 May 2024



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Signed ROBERT THORPE

Rule 4.09

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE  
COMMON LAW DIVISION  
JUDICIAL REVIEW AND APPEALS LIST

No S ECI 2024

BETWEEN

AUNTY ALMA THORPE  
First Plaintiff

UNCLE ROBBIE THORPE  
Second Plaintiff

-and-

ROD RATCLIFF, PROTHONOTARY  
First Defendant

JACLYN SYMES, ATTORNEY-GENERAL OF VICTORIA  
Second Defendant

**OVERARCHING OBLIGATIONS CERTIFICATE**

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Date of Document: 5 May 2024

Solicitors Code: —

Filed on behalf of: Robert Thorpe

DX: —

Prepared by: Robert Thorpe  
21 Smith St  
Fitzroy  
VIC 3065

Telephone: 0422 200 696

Ref: State of Victoria surrender

Email: bunjilfire@gmail.com

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In accordance with section 41 of the Civil Procedure Act 2010, I Robert Thorpe certify to the Court that I have read and understood the overarching obligations set out in sections 16 to 26 of that Act and the paramount duty set out in section 16 of the Act.

Date: 5 May 2024



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Signed ROBERT THORPE