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## Local & National

# Courtney's legal bid to prevent a retrial adjourned

Loyalist wants decision from Lords

Saturday, February 10, 2007

By Ashleigh Wallace

A Bid to challenge an Appeal Court ruling launched on behalf of Shankill loyalist William 'Mo' Courtney has been postponed for a fortnight.

An application for leave to appeal to the House of Lords was due to be held in Belfast's High Court yesterday.

But defence barrister Arthur Harvey QC requested the matter be adjourned for two weeks.

He told the three Appeal Court judges: "There are a number of issues currently being addressed in relation to this matter and they will have a bearing on the decision whether or not I proceed with this application."

Courtney (43), from Fernhill Heights in Belfast, was acquitted last November on a charge of murdering Alan 'Bucky' McCullough during a loyalist feud in 2003.

The 21-year-old victim, a former ally of Johnny Adair, fled to England when the feud broke out but returned to Northern Ireland after his family sought assurances he would not be harmed.






Mr McCullough was last seen leaving his mother's house in Denmark Street, in the lower Shankill, on May 28 2003.

Eight days later, his remains were found in a shallow grave on the outskirts of Mallusk.

Courtney stood trial for the murder at Belfast Crown Court and was acquitted of the charge by Mr Justice McLaughlin.

Following the verdict, the Crown launched a legal bid to overturn the judge's decision, which was heard in front of three appeal court judges last month. They concluded Courtney "stand trial again on the charge of the murder of Alan McCullough".

His legal team responded by lodging an application to take the case to the House of Lords and earlier yesterday the application was adjourned for a fortnight.


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