

FINDING INTO DEATH WITHOUT INQUEST

Form 38 Rule 63(2)

Section 67 of the Coroners Act 2008

I, Judge John Cain, State Coroner, having investigated the death of Garry Nicholls and without holding an inquest, find –

That the identity of the deceased was:

Surname: Nicholls
Given names: Garry
Date of birth: 17 June 1961
Death occurred: 20 November 2022
Place of death: Binap Road, Epping, Victoria, 3076
Cause of death was: 1a : COMPLICATIONS OF MULTIPLE SYSTEM ATROPHY

I make no further findings with respect to the circumstances in which the death occurred, under section 67(2) of the *Coroners Act 2008* ('the Act'), because I did not hold an inquest and I find that:

- Garry Nicholls death was reported to the Coroner as his death fell within the definition of a reportable death in accordance with section 4(2)(c) of the Coroners Act 2008 (Act). If a person was in-care immediately before death, the death is reportable even if it appears to have been from natural causes.
- there is no public interest to be served in making a finding regarding those circumstances.
- In accordance with section 73(1B) of the Act, this finding must be published on the internet in accordance with the rules.

Signature:



Judge John Cain, State Coroner
Date: 25 January 2023



NOTE: Under section 83 of the *Coroners Act 2008* ('the Act'), a person with sufficient interest in an investigation may appeal to the Trial Division of the Supreme Court against the findings of a coroner in respect of a death after an investigation. An appeal must be made within 6 months after the day on which the determination is made, unless the Supreme Court grants leave to appeal out of time under section 86 of the Act.
