

IN THE COURT OF APPEAL, FIJI AT SUVA

CRIMINAL APPEAL NO. AAU0051 OF 2002
(High Court Criminal Appeal No. HAA82/2002)

BETWEEN: ILAITIA TURAGA TUWERE *Applicant*

AND: THE STATE *Respondent*

APPLICATION FOR LEAVE TO APPEAL AGAINST SENTENCE

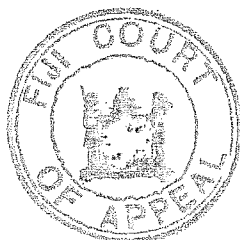
On 15 April 2002 the Applicant was convicted for receiving stolen property and sentenced to three(3) years imprisonment.

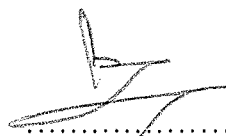
The Applicant appealed to the High Court against both his conviction and sentence. On 25 October 2002 the High Court (Shameem J.) dismissed the appeal. He now seeks leave of this Court to appeal against the sentence. This Court has jurisdiction to entertain a second appeal, only when questions of law are involved (Section 21(1) Court of Appeal Act).

I do not see that any question of law is involved in the Applicant's proposed appeal against severity of sentence.

Since the application is bound to fail because there is no right of appeal and no right to seek leave to appeal I dismiss this appeal under Section 35(2) of the Court of Appeal Act.

Dated at Suva this 4th March 2003.




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Jai Ram Reddy
President