

IN THE COURT OF APPEAL, FIJI ISLANDS
ON APPEAL FROM THE HIGH COURT OF FIJI

CRIMINAL APPEAL NO. AAU0054 OF 2002S
(High Court Criminal Action No.HAA021/26 of 2001L)

BETWEEN:

PENIASI LEE

Appellant

AND:

THE STATE

Respondent

Coram:

Sheppard, JA
Tompkins, JA
Ellis, JA

Hearing:

Friday 12th March 2004, Suva

Counsel:

The Appellant in Person
Ms A. Prasad for the Respondent

Date of Judgment:

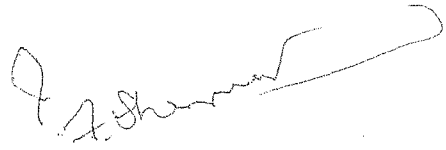
Friday 12th March 2004

ORAL JUDGMENT OF THE COURT

Sheppard, JA

In this matter there is an initial question whether there is here raised a question of significant public importance. Section 122(2) of the Fiji Constitution provides, so far as relevant, that an appeal may not be brought from a final judgment of the Court of Appeal unless the Court of Appeal gives leave to appeal on a question certified by it to be of

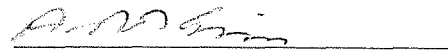
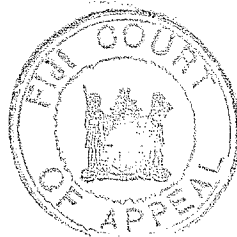
significant public importance. The applicant (described as the appellant in the title to these proceedings) does not in his application raise any question which could properly be described as a question of significant public importance. It follows that this Court has no jurisdiction to make the order for leave to appeal to the Supreme Court which is sought in the application. Accordingly, the application is dismissed.



Sheppard, JA



Tompkins, JA



Ellis, JA

Solicitors:

The Appellant in Person
Office of the Director of Public Prosecutions, Suva for the Respondent