

IN THE COURT OF APPEAL, FIJI AT SUVA

CRIMINAL APPEAL NO. AAU0003/2001  
(High Court Criminal Appeal No. HAA0077 of 2000)

BETWEEN:            SEVULONI KERETABUA            Appellant/Applicant

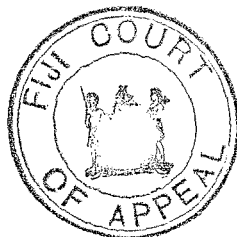
AND:                 THE STATE                                    Respondent

APPLICATION FOR LEAVE TO APPEAL OUT OF TIME

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1. Following pleas of guilty the applicant was convicted in the Magistrates' Court of robbery with violence and possession of ammunition without a licence. On the first charge, he was sentenced to 5 years imprisonment and on the second, 1 year to run consecutively. His appeal to the High Court was dismissed.
2. The applicant has now filed a document headed "Sentence appeal". As an appeal it is slightly out of time but I grant leave to appeal out of time.
3. A second appeal can only be on a question of law. The applicant's sole complaint is with what he sees as the severity of the sentence. He does not raise any point of law.
4. The appeal is bound to fail because there is no right of appeal. Accordingly, acting under s.35 of the Court of Appeal Act, as amended, I dismiss the appeal.

Dated at Suva this 15<sup>th</sup> October 2001.



*Thomas Eichelbaum*  
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Thomas Eichelbaum  
Justice of Appeal