

IN THE COURT OF APPEAL, FIJI ISLANDS  
AT SUVA

CRIMINAL APPEAL NO. AAU0015 OF 2003S  
(High Court Criminal Action No. HAC0011 of 1997L)

BETWEEN:

KALIVATI VEIBA VUNISA

Applicant

AND:

THE STATE

Respondent

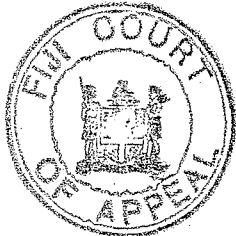
APPLICATION FOR LEAVE TO APPEAL AGAINST SENTENCE

[1] The applicant was one of four accused charged with rape. Following a trial, all four were found guilty. On 8 April 2003 all four were sentenced. The applicant was sentenced to a term of imprisonment of 9 years.

[2] On 20 May 2003 this court received the applicant's application for leave to extend the time for appealing against the sentence imposed. The applicant sets out a number of matters that he contends the sentencing judge did not take into account in deciding on the sentence to be imposed.

[3] The application was 12 days out of time. In view of the shortness of the delay and having regard to the sentence imposed, I find that it is appropriate to extend the time for giving notice of appeal against sentence. That time is extended to 20 May 2003. His application for leave to appeal out of time is to be taken as his application for leave to appeal.

Dated at Suva 24<sup>th</sup> November 2003.



A handwritten signature in cursive script, appearing to read "Tompkins".

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Tompkins JA