

IN THE COURT OF APPEAL, FIJI AT SUVA

CRIMINAL APPEAL NO. AAU0004 OF 2003  
(High Court Criminal Appeal No. HAA093 of 2002)

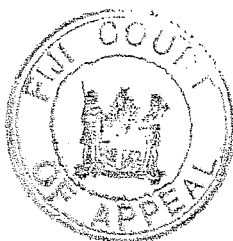
BETWEEN:                      MELI MALANI                      Appellant

AND:                              THE STATE                              Respondent

APPEAL AGAINST SENTENCE

1. In the Magistrates' Court the appellant was sentenced to 21/2 years imprisonment for larceny. The High Court dismissed his appeal against that sentence.
2. The appellant has brought a further appeal to this Court against his sentence. A second appeal is possible only where the ground of appeal involves solely a question of law – Court of Appeal Act s.22(1).
3. The appellant's Notice of Appeal does not involve any question of law. Accordingly, since the appeal is bound to fail because there is no right of appeal and no right to seek leave to appeal, acting under s.35 of the Court of Appeal Act, as amended, I dismiss the appeal.

Dated at Suva this 9 May 2003.



*Thomas Eichelbaum*

Thomas Eichelbaum  
Justice of Appeal