

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

Criminal Appeal No. AAU 0028/07
(High Court Criminal Case No. HAC 48/05S)

BETWEEN:

NAVITALAI VECENAVURA

Appellant

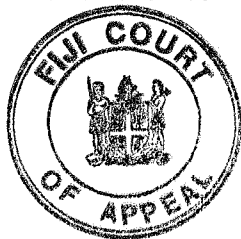
AND


THE STATE

Respondent

DECISION

- [1] The facts in this matter are identical to those set out in the decision of this Court also delivered today in Sireli Robalenaivalu (AAU 0058/06).
- [2] This Appellant, who also received seven years imprisonment for the offence of robbery with violence in circumstances which were described by the High Court as "a truly horrible incident" now seeks leave to appeal out of time against the sentence. He has two previous convictions for larceny.
- [3] In my view, the proposition that the sentence opposed upon this Appellant was manifestly excessive is simply unarguable. In these circumstances leave to appeal out of time is refused.




M.D. Scott
Resident Justice of Appeal

20 April 2007