

IN THE COURT OF APPEAL, FIJI ISLANDS
APPELLATE JURISDICTION

CRIMINAL APPEAL NO: AAU0004/09

BETWEEN:

ISOA WAQA

Appellant

AND:

THE STATE

Respondent

Coram: Byrne P
Goundar JA
Calanchini JA

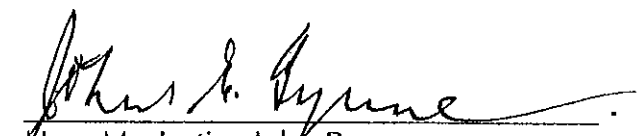
Hearing & Order: 26th May 2010

Counsel: Appellant in Person
Ms S. Puamau for State

DECISION

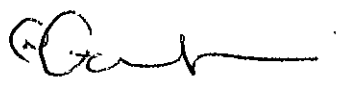
- [1] On the day of the hearing of his appeal, the Appellant applied for an adjournment saying he was informed last minute by the Legal Aid Commission that his application for legal aid has been misplaced by a legal officer who no longer is employed by the Commission. The Appellant also informed the Court that his copy of the court record has been lost. He appeared in Court without his court record and was not ready for the hearing.

- [2] In the interests of justice, we granted an adjournment to the Appellant.
- [3] The Appellant applied for bail pending appeal. The law is that bail is granted to a convicted prisoner in exceptional circumstances and when there is every chance of success in the appeal. We have considered the application and we are not satisfied that this is a case where the Appellant should be granted bail pending appeal.
- [4] The case is adjourned to 1 October 2010 for mention to check on the status of the Appellant's legal aid application.




Hon. Mr. Justice John Byrne
President, Court of Appeal





Hon. Mr. Justice Daniel Goundar
Judge of Appeal



Hon. Mr. Justice William Calanchini
Judge of Appeal

Solicitors:

Appellant in person
Office of the Director of Public Prosecutions for State