

**IN THE COURT OF APPEAL**  
**APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO: AAU0093 OF 2011**  
**(Mag. Ct Case No. 065/10)**

**BETWEEN** : **JOSAIA MURIMURI** ***Appellant***

**AND** : **THE STATE** ***Respondent***

**CORAM** : **Mr. Justice Suresh Chandra**  
**Mr. Justice Daniel Goundar**

**COUNSEL** : **Appellant in Person**  
**Ms M. Fong for Respondent**

**Date of Hearing** : **27 November 2013**

**Date of Ruling** : **27 November 2013**

**JUDGMENT**

**Goundar JA:**

- [1] The appellant was tried and convicted of aggravated robbery in the Magistrates' Court exercising extended jurisdiction under section 4(2) of the Criminal Procedure Decree. On 18 January 2011, he was sentenced to 4 years and 2 months imprisonment with a non-parole period of 3 years. He filed a timely appeal against conviction and sentence pursuant to section 21(1) of the Court of Appeal Act.

- [2] When the case was listed on 26 November 2013 for leave hearing, the appellant told the Court that he needed further time to prepare his submissions. Since the appellant was unrepresented, an adjournment was granted to allow him to prepare his submissions.
- [3] On 27 November 2013, when the appellant appeared for leave hearing, he informed the Court that he wanted to withdraw his appeal because he had almost served his sentence and was due to be released from prison early next year. He signed and filed a Notice of Abandonment.
- [4] A full inquiry was conducted in accordance with the guidelines provided by the Supreme Court in ***Jone Masirewa v The State***, Criminal Appeal No. CAV0014 of 2008S. After the inquiry we are satisfied that the appellant's decision to withdraw his appeal is intentional, deliberate and without mistake. We are further satisfied that the appellant understands the consequences of his decision to withdraw his appeal.
- [5] Leave granted to withdraw appeal.

Appeal dismissed.



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**Hon. Justice Suresh Chandra**  
**Justice of Appeal**

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**Hon. Justice Daniel Goundar**  
**Justice of Appeal**

**Solicitors:**

Appellant in Person.

Office of the Director of Public Prosecutions for Respondent.