

FORM B

(Rules 3(1) and 9(4))

(To be used where Accused is not Represented by Counsel)

20__01H____

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR --
COURT OF APPEAL

IN THE MATTER OF

(name of appellant) who was
convicted at _____
(name of town/city) in the Province
of Newfoundland and Labrador
by Judge _____

BETWEEN:

(Name of Appellant)
Appellant

AND:
HER MAJESTY THE QUEEN
as represented by the Attorney General
Respondent

NOTICE OF APPEAL (OR NOTICE OF APPLICATION FOR LEAVE TO APPEAL)

1. Name of appellant _____
2. Place of trial _____
3. Name of judge _____
4. Name of court (Supreme Court of Newfoundland and Labrador -- Trial Division; Provincial Court or Youth Court)

5. Name of your defence counsel (if any) at the trial

6. Offence(s) of which appellant was convicted (example: theft, forgery, sexual assault)

7. Plea at trial _____
8. Sentence imposed _____
9. Date of conviction _____
10. Date of imposition of sentence _____
11. Is your appeal from a conviction or sentence under the *Young Offenders Act*?
Yes _____ No _____
12. (If applicable) If the appellant is a young person as defined in the *Young Offenders Act* and has applied for legal aid, indicate the location of the legal aid office.

Has the appellant been refused a legal aid certificate? Yes _____ No _____

13. Name and address of place where appellant is in custody, or if not in custody, the appellant's address

14. If the appellant is in custody, appellant's address other than institution

Note: The Rules of Court provide for delivery of certain materials to you at the address stated in the notice of appeal. If you change your address, notify the Registrar. If you do not notify the Registrar, delivery of documents at your old address will be deemed to constitute proper delivery to you and the appeal may proceed in your absence (even if you have not received the documents).

15. Appellant's date of birth _____

16. Trial court case number _____

I, the above appellant, hereby give notice that I desire to appeal and if necessary for me to do so, to apply for leave to appeal against

- (a) conviction only _____;
- (b) sentence only _____; or
- (c) both conviction and sentence _____.

Note: If you are convicted of more than one offence and you wish to appeal against only some of your convictions, you must state clearly the convictions against which you wish to appeal.

Note: If you are convicted of more than one offence and you wish to appeal against only some of your sentences, you must state clearly the sentences against which you wish to appeal.

Note: You must here set out the grounds or reasons why the conviction should be quashed or the sentence reduced. If space is insufficient, put additional grounds on the reverse side of this Form.

I wish to appeal for the following reasons:

Grounds of appeal

I desire to present my case and argument

- (a) in writing only _____;
- (b) in person _____; or
- (c) in writing and in person _____.

Note: If you desire to submit your case and argument in writing, you must file with the Court your written argument within 60 days after receiving the transcript and the appeal book from the Attorney General, unless otherwise allowed by the Court.

Note: If you had the right to be tried by judge and jury originally but chose a judge alone, you would have the right to be tried by judge and jury if a new trial is ordered but only if you indicate a desire to be so tried in this notice.

If a new trial is ordered and you would have the right to trial by judge and jury, do you wish trial by judge and jury Yes_____ No_____

Dated at _____, Newfoundland and Labrador, this _____ day of _____, 20_____

(Signature of appellant)

Note: You must sign this notice. If you cannot write you must affix your mark in the presence of a witness. The name and address of the witness must be given.

TO: The Registrar
Court of Appeal
P.O. Box 937
287 Duckworth Street
St. John's
Newfoundland and Labrador
A1C 5M3

(if you are not in custody) or

TO: The Senior Official of the Penal Institution (if you are in custody)

If you are in custody, this notice of appeal is to be provided to the senior officer of the institution in which the appellant is imprisoned not later than 30 days after the date of sentence. If you are not in custody, this notice of appeal is to be provided to the Registrar not later than 30 days after the date of sentence.

Note: If more than 30 days have expired since the date of your sentence, then you must apply for an extension of time by completing the application below. If you do not apply to the Court for such extension of time or if your application for extension is refused, your appeal will be dismissed without further hearing.

APPLICATION FOR EXTENSION OF TIME

I hereby apply for an extension of time, within which I may launch the within appeal, on the following grounds. (State reasons for delay below.)

Signed _____

Date _____