

**IN THE COURT OF APPEAL, FIJI**  
**ON APPEAL FROM THE MAGISTRATES COURT**  
*Exercising extended jurisdiction*

**CRIMINAL APPEAL AAU 3 OF 2016**  
(Magistrates Court No: 1226 of 2015 at Suva)

**BETWEEN** : **KOROI VEIKOSO**  
*Appellant*

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

**Coram** : **Calanchini P**  
**Chandra JA**  
**Bandara JA**

**Counsel** : **Mr T Lee for the Appellant**  
**Ms P Madanavosa for the Respondent**

**Date of Hearing** : **17 May 2018**

**Date of Ruling** : **1 June 2018**

**RULING**

**Calanchini P**

[1] The appellant was convicted on one count of aggravated robbery on his plea of guilty in the Magistrates Court at Suva exercising the extended jurisdiction of the High Court. He

was sentenced to a term of imprisonment of 6 years 11 months with a non-parole term of 5 years. Two co-offenders were tried and acquitted.

- [2] The Appellant subsequently filed a timely notice of appeal against conviction and sentence dated 24 December 2015 but not filed until 11 March 2016. On 17 May 2018 the appellant signed a Rule 39 notice seeking to abandon the appeal against conviction and sentence.
- [3] In accordance with the decision of the Supreme Court in Masirewa –v- The State (CAV 14 of 2008; 17 August 2010) the application to abandon his appeal was listed for hearing before the Court of Appeal. At the hearing the appellant confirmed that his decision to abandon the appeal was made voluntarily. He confirmed that he had received legal advice and that he understood the consequences in the event that his application were granted.
- [4] Under the circumstances the application to abandon the appeal against conviction and sentence is granted and the appeal is dismissed.

**Chandra JA**

- [5] I agree.

**Bandara JA**

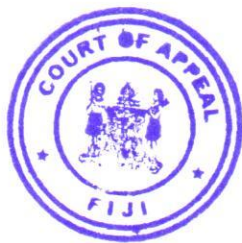
- [6] I agree.

Orders:

*Appeal against conviction and sentence is dismissed.*

*W. Calanchini*

Hon. Justice W.D. Calanchini  
**PRESIDENT, COURT OF APPEAL**



*S Chandra*

Hon. Justice S Chandra  
**JUSTICE OF APPEAL**

*W Bandara*

Hon. Justice W Bandara  
**JUSTICE OF APPEAL**