

WILLIAMS JA
KEANE JA
PHILIPPIDES J

CA No 14 of 2005

THE QUEEN

v.

JOHN IVAN PAVICIC

Applicant

BRISBANE

..DATE 07/04/2005

JUDGMENT

APPLICANT conducted his own case

MR D MEREDITH (instructed by Director of Public Prosecutions (Queensland)) for the respondent

WILLIAMS JA: This is an application for an extension of time to appeal against sentence. The applicant was sentenced on the 9th of December 2004. It does appear that he intended to appeal within time and took steps to do so, but because of some errors that was not achieved. The documents, including the notice of application for leave to appeal against

sentence, were, in fact, filed on the 28th of January 2005, something less than three weeks out of time.

The Court has had regard to the material filed in support of the application for an extension of time and has also had regard to certain material which was placed before the sentencing Judge and sealed. The sentences imposed were imposed against the background of co-operation with the authorities and in the circumstances the Court is satisfied that there are matters justifying the Court reviewing the sentence on an application for leave to appeal against sentence when all relevant material will be available.

In the circumstances there will be an extension of time granted until the 28th of January 2005 for the lodging of the application for leave to appeal against sentence, and that will be the order of the Court.

KEANE JA: I agree.

PHILIPPIDES J: I agree.

WILLIAMS JA: The order will be as I indicated.
