

C.A.C. No.

Nova Scotia Court of Appeal

Between:

[name] _____ Appellant

and

Her Majesty the Queen _____ Respondent

Notice of Appeal

(Where appellant is not represented by a Solicitor)

To: Her Majesty the Queen

PARTICULARS OF CONVICTION:

1. Place of conviction _____

2. Name of Judge _____

3. Name of Court _____

4. Name of Crown Prosecutor at trial _____

5. Name of Defence Counsel at trial _____

6. Offence(s) charged: _____ under _____ *(state sections of Criminal Code or other statute)*

7. Offence(s) of which appellant convicted _____

8. Sections of the Criminal Code or other statutes under which appellant convicted _____

9. Plea at trial _____

10. Sentence imposed _____

11. Date of conviction _____

12. Date of sentence _____

13. If appellant in custody, place of incarceration _____

Take notice that the appellant appeals and if necessary applies for leave to appeal
(see note 1 below and circle which one applies):

(a) conviction

(b) sentence

(c) conviction and sentence

(d) other (specify)

Grounds of appeal and relief sought

This appeal is brought under section _____ of the [*Criminal Code*/other] .

The grounds of appeal are as follows:
[state grounds clearly] (see note 2 below)

1

2

3

At the conclusion of the appeal the appellant will request an order that [clearly describe order sought]:

I desire to present my case and argument (strike out (a) or (b),

(a) in writing, if permitted by a judge (see note 3 below)

(b) in person

If a new trial is ordered and you have a right to trial by judge and jury do you wish trial by judge and jury? _____

Contact information

The appellant can be contacted at the following address:

Documents delivered to this address are considered received by the appellant on delivery. Further contact information is available from the registrar.

Signature _____

Signed _____, 20____

Signature of Appellant

Print name: _____

Registrar's certificate

I certify that this notice of appeal was filed with the Court of Appeal on _____, 20____.

Registrar

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**NOTES:**

- (1) If an appellant convicted of more than one offence wishes to appeal against some only of his/her convictions and sentences, s/he must state clearly the convictions or sentences against which s/he wishes to appeal.
- (2) These must be filled in before the notice is sent to the Registrar. The appellant must here set out the grounds or reasons s/he alleges why his/her conviction should be quashed or his/her sentence reduced.
- (3) If the appellant prefers to submit his/her case and argument in writing instead of personally attending the appeal hearing, s/he may serve his/her written argument with this notice of appeal, or within fourteen (14) days of receiving the transcript and the appeal

book from the Attorney General, or within such time as ordered by a Judge. The appellant must request permission to present his/her case in writing during his/her first conference with a judge.

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OTHER INFORMATION:

- I. If your appeal is against conviction alone this notice must be served within twenty-five days of the date of the conviction.
- 2. If your appeal is against sentence alone or conviction and sentence this notice must be served within twenty-five days of the date of imposition of the sentence.
- 3. If this notice is served beyond twenty-five days 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.
- 4. If you are in custody two (2) signed copies of this notice of appeal must be delivered to the senior official of the institution in which you are confined. If you are not in custody three (3) copies of the notice of appeal must be delivered to the Registrar.

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**Application for Extension of time:**

I hereby apply for an extension of the time within which I may appeal based on the reasons sworn to in the attached supporting affidavit.

Signature \_\_\_\_\_

Signed \_\_\_\_\_

Date \_\_\_\_\_