

APPELLANTS WHO ARE PRISONERS AND NOT REPRESENTED BY COUNSEL

CRIMINAL APPEALS BEFORE THE NOVA SCOTIA COURT OF APPEAL

1. Read the attached Notice of Appeal (**Where appellant is not represented by a Solicitor**) Form 91.05(B) carefully and retype the Notice of Appeal with your own information. If you are not able to re-type the form, try as best you can to fill in the blanks on the form add additional sheets of paper if required.
2. You must file the original Notice of Appeal with the Registrar of the Court of Appeal.
3. A Notice of Appeal must be filed with the Registrar of the Nova Scotia Court of Appeal within twenty-five (25) days of the date of the decision or order you wish to appeal. Remember time is calculated in accordance with Civil Procedure Rule 94. This means that you do not count the date the decision you wish to appeal was made, you do not count any Saturday or Sunday or holiday on which the Prothonotary's office is closed and you exclude the 25th day. By way of example: if the decision you wish to appeal was rendered on January 12, 2009 - the Notice of Appeal must be filed no later than February 17th, 2009.
4. Because you are in custody and filing a prisoner appeal, the Registrar will provide a copy of the Notice of Appeal to the Crown. The Crown will be responsible to have the trial and/or sentencing transcript prepared
5. The Registrar will also send a copy of the Notice of Appeal to the judge from whose judgment the appeal is brought.
6. Your Notice of Appeal must set out grounds of appeal that are clear and concise of why your conviction should be quashed and/or why your sentence should be reduced. Grounds of appeal are limited to error or law or judicial error.
7. Once your Notice of Appeal has been filed you will receive a letter from the Registrar setting out the next steps you must follow to have the appeal set down for hearing.
8. As set out in the Registrar's letter, the Crown must file a Certificate of Readiness Form 90.26 with the Court of Appeal before a motion to set the appeal down for hearing is heard.
- 9.. For more information:
Registrar, Nova Scotia Court of Appeal
1815 Upper Water Street
Halifax, NS
Telephone: 424-8962
Fax: 424-0524