

(insert front sheet)

NOTICE OF SECOND OR SUBSEQUENT APPEAL AGAINST CONVICTION

Particulars of appellant

- 1. Full name
.....
- 2. Primary residential address
.....
- 3. Address for service of documents (*specify if different from above*)
.....

Nature of appeal (*answer "Yes" or "No" in every square*)

- 4. Second or subsequent appeal by defendant against conviction Yes / No

Judgment subject of appeal

- 5. Court in which convicted Supreme/District/Youth
- 6. Date of conviction / / 20
- 7. Judicial officer who presided over trial Justice/Judge.....

- 8. Offences subject of appeal (*show count number and name of each offence subject of appeal*):
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.....
.....
.....

9. Date previous appeal dismissed

/ / 20

Appeal requiring permission

10. The following are the grounds of appeal if permission to appeal is granted:

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.....

11. The following is the fresh evidence said to justify the grant of permission to make a second or subsequent appeal (*identify the witness or witnesses who would give the evidence and/or the documents containing the evidence and the effect of the evidence*):

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12. The evidence summarised in question 11 above was not adduced at trial and could not, even with the exercise of reasonable diligence, have been adduced at trial because (*set out why not known or available by the exercise of reasonable diligence at trial and how since discovered*)

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13. The fresh evidence summarised in question 11 above is compelling in that it is reliable, substantial and highly probative in the context of the issues in dispute at the trial of the offence because *(set out why the evidence is reliable, the issue at trial to which it is relevant and why it would or may have affected the result at trial)*:

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Orders sought

14. The following orders are sought on appeal:

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Defendant in custody *(answer "Yes" or "No" in the square)*

15. The defendant is in custody.

Yes / No

16. If in custody, state where detained:
.....

Attendance at hearings (answer "Yes" or "No" or "NA" in each square)
(answer this section only if the answer to question 15 is "Yes")

17. At the hearing of the application for permission to appeal, I wish to:

(tick 1 box only)

- be present in person
- appear by audiovisual link
- not appear.

18. (answer this question only if you answered "I wish to be present in person" in question 17) Give reasons why you wish to be present in person at the hearing of the application for permission to appeal:

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.....

(audiovisual link is the usual form of appearance at a hearing of an application for permission for persons in custody. Special reasons need to be given for the Court to direct personal attendance)

19. At the hearing of the appeal, I wish to:

(tick 1 box only)

- be present in person
- appear by audiovisual link
- not appear.

20. (answer this question only if you answered "I wish to be present in person" in question 19) Give reasons why you wish to be present in person at the hearing of the appeal

.....
.....
.....

(audiovisual link is the usual form of appearance at a hearing of an appeal for persons in custody. Reasons need to be given for the Court to direct personal attendance. The Court will usually direct personal attendance if a person requests it.)

Date:

(signed)

.....

Defendant/Solicitor for the defendant (*delete whichever is inapplicable*)