

Form 63.05

20

Court No.
Charge No.
Person No.

Supreme Court of Nova Scotia

Between:

[name]

Appellant

and

[name]

Respondent

Notice of Summary Conviction Appeal

Appellant appeals

The appellant appeals from the decision of [*His/Her*] Honour [*Judge/Mr./ Ms.*] [name] a [*judge/justice of the peace/adjudicator/other*] of the [*Provincial Court of Nova Scotia/other*]. The decision was made on [date decision given orally or date of reserved written decision] at [courthouse where oral decision was given or written decision released]. [If appeal is from conviction and sentence: The appellant also appeals from sentence passed on .]

Motion for directions and to set date

Take notice that at [a.m./p.m.] on [date] the appellant will make a motion to the judge presiding in Crownside chambers in the [*Law Courts/Courthouse*] at [place] to set a time, date, and place for the hearing of the appeal, set deadlines for filing the transcript, exhibits, and briefs, and obtain other directions.

Decision appealed from

The [*appellant/respondent*] was charged as follows: [copy charge from the information]. The decision appealed from was a [*conviction/dismissal/order staying the information/sentence/verdict of unfit to stand trial/verdict of not criminally responsible/ or describe other order or disposition*]. [If appeal is of conviction and sentence, or sentence only, give details of the sentence including what offence the sentence was for.]

Grounds of appeal

The grounds of appeal are as follows:

1 [state grounds concisely]

2

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Order requested [omit if sentence only]

The appellant says the court should allow the appeal, set aside the [conviction/acquittal/order/verdict/other] , and [enter an acquittal, enter a conviction, order a new trial, other] .

Variation of sentence requested [omit if not applicable]

The appellant says that the court should vary the sentence as follows:

Interim order [omit if not seeking]

The appellant intends to make a motion for a stay of [describe what is to be stayed] . This motion will be made no later than [date] .

Transcript [to be completed for all appeals, including Crown appeals]

The appellant acknowledges that subsection 821(3) of the *Criminal Code* requires the appellant to cause a transcript to be furnished to the court and the respondent. The appellant has made arrangements for transcription, has made inquiries about when it will be ready, and is able to deliver it no later than [period required to complete transcript] .

Undertaking for Decision Approved by Trial Judge

The appellant undertakes to obtain, for inclusion in the appeal book, a copy of a written decision issued by the trial judge, a written version of an oral decision signed by the trial judge, or a transcript of the decision certified by the trial judge to be accurate.

Notice to judge

The appellant undertakes to cause a copy of this notice of summary conviction appeal to be delivered immediately to the office of the [judge/adjudicator/justice of the peace/other] who made the decision under appeal.

Contact information

The appellant designates the following address:

Documents delivered to this address will be considered received by the appellant on delivery. Further contact information is available to the respondent from the prothonotary.

Signature

Signed _____, 20__

Signature of the appellant
Print name:

OR

Signature of counsel
[name] as counsel
for [name]

Prothonotary's certificate

I certify that this notice of appeal was filed with the court on _____, 20__ .

Prothonotary