

IN THE SUPREME COURT OF NEW ZEALAND

**SC 79/2008
[2008] NZSC 111**

ALISTAIR MAURK STUART LYON

v

THE QUEEN

Court: Tipping, McGrath and Wilson JJ

Counsel: Applicant in person
K A L Bicknell for Crown

Judgment: 17 December 2008

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed.

REASONS

[1] The applicant seeks leave to appeal from an order of the Court of Appeal which reduced his sentence on three charges (carrying an airgun, assault and possession of methamphetamine) from 200 to 150 hours community service. For a variety of reasons, all addressed by the Court of Appeal, he wishes to argue in this Court that the sentence, as amended, is still inappropriate or too severe.

[2] The case does not come within the criteria for the grant of leave set out in s 13 of the Supreme Court Act 2003. There is no point of general principle involved nor is there any appearance of a substantial miscarriage of justice. We are therefore not satisfied that it is in the interests of justice to grant leave. For these reasons the application must be declined.

Solicitors:
Crown Law Office, Wellington