

PAWEL MARIAN MISIUK

v

THE QUEEN

Court: Blanchard, Tipping and McGrath JJ

Counsel: M J Kidd for Applicant
C A Brook for Crown

Judgment: 13 September 2011

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed.

REASONS

[1] Mr Misiuk seeks leave to appeal against a judgment of the Court of Appeal denying him bail¹ pending the hearing of his appeal to that Court against conviction on numerous charges including burglary.

[2] While this Court has jurisdiction to hear the proposed bail appeal,² it is not in the interests of justice that it do so. We are not persuaded that it is arguable that the Court of Appeal erred in any respect in declining to grant bail. The substantive

¹ *Misiuk v R* [2011] NZCA 323.

² *R v Greer* [2006] NZSC 76, [2006] 3 NZLR 740.

hearing in the Court of Appeal is due to take place tomorrow and will be dealt with before a hearing can be held in this Court.

Solicitors:
The Small Law Firm Ltd, Auckland for Applicant
Crown Law Office, Wellington