

<u>CASE NO.</u>	<u>VOL. NO.</u>	<u>PAGE</u>
DANIEL J. INNOCENTE	- and -	HER MAJESTY THE QUEEN
Applicant		Respondent
C.A.C. No. 155817	Halifax	CHIPMAN, J.A.

[Cite as: R. v. Innocente, 1999 NSCA 161]

APPLICATION HEARD: December 16, 1999

DECISION DELIVERED: December 21, 1999

SUBJECT: JUDICIAL INTERIM RELEASE - APPLICATION FOR RELEASE PENDING APPEAL PURSUANT TO S. 679 OF THE CRIMINAL CODE OF CANADA

SUMMARY: The applicant was convicted of two counts of conspiracy to traffic in narcotics following a jury trial and was sentenced to seven years incarceration concurrent on each count. Having served some five months of his sentence, he applied to a judge in Chambers for release pending appeal. His appeal is scheduled to be heard in a little over a month's time.

ISSUE: Whether the applicant had satisfied the judge that it was not in the public interest that he be detained further.

RESULT: The judge, after reviewing the authorities, and the evidence adduced at the application, concluded that the applicant had not shown that it was not in the public interest that his detention be continued. The application was dismissed.

THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION. QUOTES MUST BE FROM THE DECISION, NOT FROM THIS COVER SHEET. THE FULL COURT JUDGMENT CONSISTS OF 9 PAGES.