

J.CW-1.2

SUPREME COURT OF WESTERN AUSTRALIA COURT OF APPEAL		NO.: CACR/155/2010 Certificate of Conclusion of Criminal Appeal
Parties to the Appeal	CDV	Appellant
	The State of Western Australia	Respondent
Primary court's decision that was appealed		
Primary Court	District Court	
Indictment No.	IND 516 of 2010	
Case Name	CDV	
Date of Decision	3 September 2010	
Judicial Officer	Stevenson DCJ	
Result of Appeal		
Court of Appeal proceedings	Date: Monday, 8 August 2011 Presiding judges of appeal: Martin CJ, Buss JA, Mazza J	
Final Outcome:	Date: Wednesday, 7 December 2011 1. Leave to appeal is refused in respect of grounds 2 to 9 2. The appeal is allowed in respect of ground 1 3. The convictions and sentences in respect of counts 1 to 6 are set aside and a new trial is ordered on these counts 4. Pursuant to s 41(2) of the Criminal Appeals Act, the sentences imposed by Stevenson DCJ on counts 7 to 13 are varied so that the sentence on count 11 is to be served cumulatively on the sentence on count 9, and the sentences on count 7, 8, 10, 12 and 13 are to be served concurrently with each other and concurrently with the sentence imposed on count 9 5. The total effective sentence to be served by the appellant is 2 years and 4 months' imprisonment, backdated to commence on 30 June 2010, with eligibility for parole 6. The appellant be remanded to appear in the Perth District Court on 20 January 2012 at 9.30 am for a Trial Listings Hearing in respect to the new trial on counts 1 to 6	



	<p>7. The appellant be granted bail to appear in the Perth District Court on 20 January 2012 at 9.30 am on the following terms;</p> <p>(i) He enter into a personal bail undertaking in the amount of \$3000</p> <p>(ii) There be a surety imposed in the amount of \$10,000 to be approved by an Associate of the Supreme Court, an Associate of the District Court or a Justice of the Peace.</p> <p>(iii) He is not to contact or attempt to contact <input type="text" value="CGY"/> REDACTED CDX or <input type="text" value="CGZ"/> REDACTED directly or indirectly</p>	
Certificate	I certify that the information in this certificate is true & correct.	
Signature of Registrar	<p style="text-align: center;">L. BUSH</p> <p>.....</p> <p style="text-align: center;">A/Court of Appeal Registrar</p>	<p>Date: 8 December 2011</p>

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Result of Appeal		
Court of Appeal proceedings	Date: Monday, 8 August 2011 Presiding judges of appeal: Martin CJ, Buss JA, Mazza J	
Final Outcome:	Date: Wednesday, 7 December 2011 1. Leave to appeal on ground 1 is granted. 2. Leave to appeal on grounds 2, 3 and 4 is refused. 3. The appeal is dismissed.	
Certificate	I certify that the information in this certificate is true & correct.	
Signature of Registrar	L. BUSH A/Court of Appeal Registrar	Date: 8 December 2011

