

Date: 20140408
Docket: 13/40, 13/41, 13/42, 13/43, 13/44
Citation: *R. v. James*, 2014 NLCA 21

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
COURT OF APPEAL**

BETWEEN:

STEPHEN JAMES

APPELLANT

AND:

HER MAJESTY THE QUEEN

RESPONDENT

Coram: Rowe, Mercer and Hoegg JJ.A.

Court Appealed From: Supreme Court of Newfoundland and Labrador
Trial Division (G), 2012 01G 6058

Appeal Heard: April 8, 2014

Judgment Rendered: April 8, 2014 (Orally)

Memorandum of Disposition Filed: April 9, 2014

Counsel for the Appellant: Self-Represented (no appearance)

Counsel for the Respondent: Vikas Khaladkar

MEMORANDUM OF DISPOSITION

Rowe J.A.:

[1] Mr. James was charged with (two counts of) operating a motor vehicle without insurance, driving without registration and using a fictitious licence

plate marker. He was also charged with driving with an expired licence. All are offences under the *Highway Traffic Act* R.S.N.L. 1990, C.H-3.

[2] Mr. James did not appear in Provincial Court to answer the charges; he was convicted *in absentia*. He brought on a Summary Conviction Appeal, which was dismissed. He appealed to this Court on the basis that at the Provincial Court he had been denied his right to be heard. Having filed a notice of appeal, Mr. James did nothing further. He filed no materials. He failed to appear.

[3] Mr. James' appeal of the Summary Conviction Appeal Justice's decision requires leave of this Court, pursuant to section 839 of the *Criminal Code*. Leave to appeal is denied.

M. H. Rowe J.A.