



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

Citation: *R. v. Giovannini*, 2017 NLCA 11

Date: February 7, 2017

Docket: 201601H0102

BETWEEN:

BRADLEY GIOVANNINI

APPLICANT

AND:

HER MAJESTY THE QUEEN

RESPONDENT

Coram: Welsh J.A.

Court Appealed From: Supreme Court of Newfoundland and Labrador
Trial Division (G) 201401G0218

Application Heard: February 7, 2017

Decision Rendered: February 7, 2017

Memorandum of Disposition Filed: February 8, 2017

Counsel for the Applicant: Self Represented

Counsel for the Respondent: David Rodgers on behalf of the Attorney
General of Newfoundland and Labrador
Iain Hollett conducting a watching brief on behalf of the Crown

MEMORANDUM OF DISPOSITION

Welsh J.A.:

[1] Bradley Giovannini's application for legal aid to assist in his application for judicial interim release and in his appeal was denied. Mr. Giovannini then applied for the appointment of counsel under section 684 of the *Criminal Code*.

[2] At the hearing, counsel for the Attorney General took no position on the application, neither consenting nor objecting. Having reviewed the material relevant to the application and the appeal, I was satisfied that, in the circumstances, it was appropriate to make the order. The issues on appeal and Mr. Giovannini's limited ability to address the relevant questions of mixed fact and law are such that the assistance of counsel is warranted.

B. G. Welsh J.A.