

CANADA / JUDGMENT

R. v. Fleming

2007 BCCA 177

COURT

British Columbia Court of Appeal

DECIDED

26 March 2007

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2007 BCCA 177 R. v. Fleming COURT OF APPEAL FOR BRITISH COLUMBIA Citation: R. v. Fleming, 2007 BCCA 177 Date: 20070326 Docket: CA034859 Between: Regina Respondent And Guy William Fleming Appellant Before: The Honourable Chief Justice Finch (In Chambers) Glenn A. Hubbard Counsel for the Appellant W. Paul Riley Counsel for the Respondent Written Submissions Received: March 5 and 12, 2007 Place and Date of Judgment: Vancouver, British Columbia March 26, 2007 Reasons for Judgment of the Honourable Chief Justice Finch:

- [1] The appellant applies pursuant to s. 680(1) of the Criminal Code for a direction that the order of the British Columbia Supreme Court pronounced 2 February 2007 be reviewed by this court. That order affirmed as correct in law the refusal of a justice of the peace to accept an out of province surety as a condition to an order for the appellant's judicial interim release. Without that surety, the appellant is unable to meet the requirements for bail as previously ordered by the Supreme Court on 11 January 2007.
- [2] In my opinion, the legal issue raised is one that should be considered by the court. Accordingly, I direct a review as requested. "The Honourable Chief Justice Finch"

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