

HONG KONG / JUDGMENT

HKSAR v. PHAM VAN HUY

COURT

Court of First Instance

DECIDED

29 November 2007

CASE / FILE NUMBER

HCMA1007/2007

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bjbj HCMA1007/2007 IN THE HIGH COURT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION COURT OF FIRST INSTANCE (Appellate Jurisdiction) MAGISTRACY APPEAL NO. 1007 OF 2007 (ON APPEAL FROM KCCC 5559 OF 2007)

BETWEEN HKSAR Respondent and PHAM VAN HUY (by the magistrate on Charge 1, having regard to the appellant s previous convictions which includes 21 previous convictions for similar offences as Charge 1, is neither manifestly excessive nor wrong in principle in relation to the sentence of 12 months. In my view the sentence on Charge 4 of two months would be excessive if it were made consecutive. AUTONUMOUT The two offences were committed on the same occasion and the nature of obstruction is very minor. AUTONUMOUT I allow the appeal to the extent that the sentence on Charge 4 will run concurrently with the sentence on Charge 1. (Peter Nguyen) Judge of the Court of First Instance, High Court Miss Laura Ng, SGC of Department of Justice, for HKSAR The appellant in person PAGE - PAGE A B C D E F G H I J K L M N O P Q R S T U V 1udk 1udk H I J K L M N O P Q R S T U V & `#\$ & 6" ABC.dot setup Microsoft Word 9.0 Title Microsoft Word Document MSWordDoc Word.Document.8

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