

**FORM 1**

(Subrule 3(1))

# Notice of Appeal/Notice of Application for Leave To Appeal by Accused

IN THE MATTER OF \_\_\_\_\_  
 \_\_\_\_\_ (name of accused in full)  
 \_\_\_\_\_ convicted (or pleaded guilty) on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_,  
 (D.O.B. D/M/Y)  
 of \_\_\_\_\_ before \_\_\_\_\_  
 \_\_\_\_\_ (state the charge(s) in full) (name of judge)  
 at the \_\_\_\_\_ in \_\_\_\_\_, and was sentenced on  
 \_\_\_\_\_ (name of court) (court centre)  
 the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ before \_\_\_\_\_ at the  
 \_\_\_\_\_ (name of judge)  
 \_\_\_\_\_ in \_\_\_\_\_, and now in custody at \_\_\_\_\_ or  
 \_\_\_\_\_ (name of court) (court centre) (name of institution or penitentiary)  
 whose last known address is: \_\_\_\_\_

The accused intends to \_\_\_\_\_ to The Court of Appeal against the  
 \_\_\_\_\_ (appeal or apply for leave to appeal)  
 \_\_\_\_\_ on the following grounds:  
 \_\_\_\_\_ (conviction and/or sentence)

And such further grounds as counsel may advise and This Honourable Court may permit.

The accused wishes to present his/her case and argument \_\_\_\_\_  
 \_\_\_\_\_ (in writing or by oral argument)

The accused \_\_\_\_\_ to be present in person at the hearing of the appeal.  
 \_\_\_\_\_ (desires or does not desire)

WAS ORAL EVIDENCE TENDERED AT TRIAL? YES NO

HAS A TRANSCRIPT OF THE EVIDENCE WITH RESPECT TO CONVICTION AND/OR SENTENCE BEEN ORDERED FROM TRANSCRIPTION SERVICES? YES NO

HAS A COURT ORDER OR LEGISLATION IMPOSED A PUBLICATION BAN IN RELATION TO THE TRIAL OR OTHER PROCEEDING THAT IS THE SUBJECT OF THE APPEAL?  
 YES NO

IF YES, ATTACH A COPY OF THE ORDER IF AVAILABLE OR PROVIDE DETAILS ON THE PUBLICATION BAN:

HAS ACCESS TO THE COURT FILE BEEN RESTRICTED BY COURT ORDER OR LEGISLATION?

YES NO

IF YES, ATTACH A COPY OF THE ORDER IF AVAILABLE OR PROVIDE DETAILS ON THE RESTRICTION TO THE COURT FILE: \_\_\_\_\_

Address for service for the accused is \_\_\_\_\_  
 \_\_\_\_\_ (Address of accused or counsel for accused)

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Signature of accused or counsel for accused

TO:           The Registrar of The Court of Appeal  
              Law Courts Building  
              100E - 408 York Avenue  
              Winnipeg, MB R3C 0P9

AND TO:     The Attorney General of Manitoba           OR           The Attorney General of Canada