

## APPLICATIONS REFUSED

**Nelio Serra**

**29 December 2003**

The applicant was sentenced to a total effective sentence of 7½ years imprisonment following his pleas of guilty to numerous offences of dishonesty (unlawful entries and associated stealings). The sentencing judge declined to fix a non-parole period. The offences occurred while the applicant was on parole for robbery. The applicant applied for leave to appeal against sentence on the grounds that the sentence was manifestly excessive and that the sentencing judge erred in failing to fix a non-parole period.

After leave to appeal had been refused, the applicant filed a Notice of Application for Rehearing by the Court of Criminal Appeal pursuant to s.429(2) of the *Criminal Code*.

The application was reheard on 12 May 2004 and the court delivered its decision on 3 June 2004. See under Decisions for a further note of the case.