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IN THE COURT OF APPEAL

R.M. COURT'S CRIMINAL APPEAL No. 319/66

BEFORE: The Hon. Mr. Justice Duffus, President
 The Hon. Mr. Justice Moody
 The Hon. Mr. Justice Shelley (Acting)

R. vs. K E I T H S M I T H

Mr. W.K. Chin See for the Crown

Mr. D.J. Thompson, Q.C., for the appellant

13th February, 1967.

DUFFUS, P.,

The appellant, Keith Smith, was convicted of common assault on an indictment which charged assault occasioning actual bodily harm. He was also convicted of malicious destruction of property.

Learned Counsel for the appellant has quite rightly stated to the Court that the matter was a straight issue of fact and the only point involved really, was the question of identification.

There was adequate evidence of identification that could have been accepted by the learned Resident Magistrate. In the circumstances, there is really no merit in this appeal. The appeal is dismissed, convictions and sentences affirmed.