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MEDIA SUMMARY

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*The following media summary is provided to assist in reporting this case and is not binding on the Constitutional Court or any member of the Court.*

This is an application for direct access to the Constitutional Court in terms of rule 17. The application was lodged by the applicant's attorney. The applicant was convicted in the Pretoria High Court of a number of serious charges, including murder, attempted murder and robbery, arising from a cash-in-transit robbery. He was sentenced to two terms of life imprisonment as well as several other periods of imprisonment which he is currently serving. Leave to appeal his conviction was refused by both the High Court and the Supreme Court of Appeal.

The State has not filed any opposition to the application. In his application, the applicant's raises a substantive constitutional point that may or may not affect the correctness of his conviction. However, it is quite clear that the procedure adopted by the applicant is wrong. Instead of applying for special leave to appeal and applying for condonation for being out of time, the applicant has sought direct access to the Constitutional Court. That is granted only in exceptional circumstances which are not present in this case. Given that the applicant is represented by an attorney, there is no reason for this Court to overlook the use of the incorrect procedure.

The application is therefore dismissed.