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IN THE COURT OF APPEAL
CRIMINAL DIVISION



Royal Courts of Justice
The Strand
London
WC2A 2LL

[2024] EWCA Crim 1230

ON APPEAL FROM THE CROWN COURT AT BIRMINGHAM
(MR RECORDER ADRIAN JACK) [T20227314]

Case No 2024/00697/A4

Friday 4 October 2024

B e f o r e :

LORD JUSTICE POPPLEWELL

MRS JUSTICE CUTTS DBE

MR JUSTICE FOXTON

R E X

- v -

DEON SULEMAN

Computer Aided Transcription of Epiq Europe Ltd,
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Mr B Adris appeared on behalf of the Applicant

APPROVED JUDGMENT

Friday 4 October 2024

LORD JUSTICE POPPLEWELL:

1. In this case the time spent on remand in relation to the two offences of possession with intent to supply, to which the applicant pleaded guilty at the magistrates' court on 21 June 2021, for which he was then committed for sentence, shall count against the sentence which was imposed for the indictment offences by Mr Recorder Adrian Jack in the Crown Court at Birmingham on 7 August 2022 because they are related offences within the meaning of section 240ZA(3) of the Criminal Justice Act 2003.

2. That has this morning been confirmed by the relevant department of the Ministry of Justice who have confirmed that the prison will be notified accordingly. That applies administratively and automatically. It is not a matter which fell to be dealt with by the Recorder in relation to the sentence imposed on the offences on the indictment. The application to him to adjust the sentence under the slip rule and the mounting of this appeal were not the appropriate jurisdictional route in order to achieve the result which has been achieved, albeit that that has been their effect.

3. Accordingly, subject to one matter, the appropriate order would be to refuse the extension of time in which to apply for leave to appeal which has been referred to the full court.

4. However, we are grateful to the Criminal Appeal Office for drawing to our attention that in this case the victim surcharge has been recorded in the wrong amount and that it should have been recorded as £170.

5. Accordingly, for those purposes we will grant the extension of time, grant leave to

appeal and allow the appeal to that limited extent of correcting the victim surcharge order.

Epiq Europe Ltd hereby certify that the above is an accurate and complete record of the proceedings or part thereof.

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