

Minor v. ROP, 4 ROP Intrm. 143 (1994)
FELIX MINOR,
Defendant/Appellant,

v.

REPUBLIC OF PALAU,
Plaintiff/Appellee.

CRIMINAL APPEAL NO. 1-94
Criminal Case No. 82-93

Supreme Court, Appellate Division
Republic of Palau

Order denying motion for release
Decided: February 22, 1994

Attorney for Appellant: Carlos H. Salii

Attorney for Appellee: Nicolas Mansfield, Acting Attorney General

BEFORE: ARTHUR NGIRAKLSONG, Chief Justice; JEFFREY L. BEATTIE, Associate Justice; PETER T. HOFFMAN, Associate Justice.

PER CURIAM:

Appellant Felix Minor moves this Court, pursuant to ROP App. Pro. 9(b), for release from imprisonment pending appeal of his conviction. On January 3, 1994, Minor was sentenced to ten years in prison on the charge of attempted drug trafficking. The execution of all but the first year was stayed subject to various conditions set by the court. Minor began serving his sentence the same day. Minor's motion before the trial court to stay execution of his sentence pending appeal was denied.

The instant motion for release is based on ROP App. Pro. 9(b). The issue before this Court is whether the appeal raises a "substantial question of law." *Omelau v. ROP*, Criminal Appeal No. 2-93, slip op. at 1, 2 (May 6, 1993). We have interpreted this test to mean that "the appeal could readily go either way, that it **1144** is a toss-up or nearly so." *Id.* at 2.

Minor raises various grounds for reversal: the denial of his right to a speedy trial the insufficiency of the evidence, and the improper admission into evidence of various documents. We find that none of these contentions raise a "substantial question of law" entitling him to be released pending appeal.

The motion for release pending appeal is hereby DENIED.