

IN THE COURT OF APPEAL OF TANZANIA

AT MBEYA

(CORAM: NYALALI, C.J., MNZAVAS, J.A., And MFALILA, J.A.)

CRIMINAL APPEAL NO. 4 OF 1994

BETWEEN

MOHAMED MCHOPA... APPELLANT

AND

THE REPUBLIC... RESPONDENT

(Appeal from the conviction of the
High Court of Tanzania at Mbeya)

(Mwipopo, J.)

dated the 22nd day of October, 1993

in

Criminal Appeal No. 20 of 1992

RULING OF THE COURT

NYALALI, C.J.:

This is an appeal by Mohamed Mchopa in a Criminal case originating in the Primary Court for Chunya District at Chunya where the appellant was charged and convicted for robbery with violence and was sentenced to 15 years imprisonment. His first appeal to the District Court of Chunya District was dismissed in its entirety. Similarly, his second appeal to the High Court at Mbeya met the same fate. He now makes his third appeal to this Court. However, no certificate in support of this third appeal was sought or obtained from the High Court as required by section 5 (c) of the Appellate Jurisdiction Act, 1979. The appeal is thus incompetent and we summarily reject it under S4 (4) of the Appellate Jurisdiction Act, 1979. We order accordingly.

DATED at DAR ES SALAAM this 8th day of November, 1991.

F. L. NYALALI
CHIEF JUSTICE

N.S. MNZAVAS
JUSTICE OF APPEAL

L.M. MFALILA
JUSTICE OF APPEAL

I certify that this is a true copy of the original.



(M.S. SHANGALI)
DEPUTY REGISTRAR