**IN THE COURT OF APPEAL OF TANZANIA**

**AT MWANZA**

**(CORAM: RUTAKANGWA, J.A.,MASSATI, J.A., And MUGASHA, J.A.)**

**CRIMINAL APPEAL NO. 257 OF 2015**

**GODSON ROBERT LUTEGO ………………......……………. APPELLANT**

**VERSUS**

**THE REPUBLIC ………………....……………..…………… RESPONDENT (Appeal from the decision of the High Court of Tanzania at Mwanza)**

**(Gwae, J.)**

**dated the 11th day of May, 2015 in**

**H/C Cr. Appeal No. 93 of 2014**

**……….**

**ORDER OF THE COURT**

**RUTAKANGWA, J.A.:**

The appellant was first released on parole. Subsequently, he completed serving his prison sentence. His current whereabouts are unknown.

In view of the above, it is apparent that he has lost interest in his appeal. That being the case, we cannot let the appeal remain

listed as pending indefinitely. As correctly urged by Mr. Emmanuel Luvinga, learned State Attorney, this is a fit case for dismissal.

In fine, we dismiss this appeal for want of prosecution under

Rule 4(2)(a) of the Tanzania Court of Appeal Rules, 2009, with liberty to re-institute

DATED at MWANZA this 19th day of October, 2016.

E.M.K. RUTAKANGWA

**JUSTICE OF APPEAL**

S.A. MASSATI

**JUSTICE OF APPEAL**

S.E.A. MUGASHA

**JUSTICE OF APPEAL**

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

P. W. BAMPIKYA

**SENIOR DEPUTY REGISTRAR COURT OF APPEAL**