IN THE COURT OF APPEAL OF TANZANIA
AT MBEYA

(CORAM: LILA, J.A., MKUYE, J.A. And KOROSSO, J.A.)

CRIMINAL APPEAL NO. 455 OF 2017

MAWAZO ANYANDWILE MWAIKWAJA ..... APPELLANT

VERSUS

D.P.P ..... RESPONDENT

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

(Levira, J.)

Dated on 28th day of August, 2017
in
Criminal Appeal No. 96 of 2016

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JUDGMENT OF THE COURT

30th March & 3rd April, 2020.

LILA, J.A:

Mawazo Anyandwile Mwaikaja, the appellant, was charged before the District Court of Rungwe with the offence of rape contrary to sections 130 (1) (2) (a) and 131 (1) of the Penal Code Cap. 16 R.E.2002 (the Penal Code). We shall refer to the woman raped as "the victim" so as to hide her identity. The appellant was convicted as charged and was subsequently sentenced to thirty (30) years imprisonment. He was also ordered to pay the victim TZS 1,000,000/= as compensation for the injuries she sustained. His appeal to the High Court was not only unsuccessful, but, invoking powers of revision under section 373 (1) (a) of the Criminal Procedure Act, Chapter 20 of the Revised Edition of 2002

(the CPA), but also ordered the appellant to pay a fine of TZS. 100,000/= and to suffer two strokes of the cane at the completion of his imprisonment sentence.

Before the trial court, it was alleged by prosecution that on 20th day of December, 2014 at about 19:00hrs at Ikomelo Village within Rungwe District in Mbeya Region, the appellant had carnal knowledge of the victim, a 63 years' old woman, without her consent.

The brief facts leading to this appeal are not complicated. On 20th day of December, 2014 at about 18:45 00hrs the victim was at her home. The appellant passed thereby and lured her to go to his home to collect palm oil. The victim was not ready to do so that night and promised to go there the next day but the appellant warned her that he would not be around. As she was in need of the said oil, she decided to collect the same that night hence she followed the appellant behind. Upon arrival at the appellant's place, the appellant turned against her as he pressed her to enter inside his home instead of giving her the promised oil. Suspicious of the appellant's conduct, the victim decided to go back to her place. Determined to accomplish his evil mission, the appellant followed her and grabbed her hands as a result she fell down and the appellant pulled her into his house where there was a tent/mat on the

floor. The appellant pulled her down and undressed her underwear. The victim was not ready to give in and in his bid to overcome her resistance; the appellant bit her on the face and neck and then penetrated his penis into her private parts. As she was strangled, the victim could not scream for help. In the struggle she was injured as was proven by the scars on her face. She also, in the course of the struggle, scratched the appellant on the face so as to let him release her but in vain. After satisfying his libido the appellant released the victim but due to the injuries she sustained all over her body and particularly in her private parts, she was unable to reach home as she could not comfortably walk. She spent that night in the appellant's grandfather's farm till morning when she, straight away, reported the whole ordeal to Kiswigo Reuben (PW2), a hamlet chairperson. According to both the victim and PW2, they went to hamlet meeting whereat they found the appellant. PW2 sought for militiamen who instantly arrested the appellant. Upon being inquired in the presence of hamlet members, the appellant, who had scratches on his face, admitted raping the victim who, also, had scratches on her face and could not walk properly. The appellant succumbed and pleaded to be forgiven. PW2 referred the matter to the Ward Executive Officer (WEO) and then to Tukuyu Police Station where the victim was issued with a police Form No. 3 (PF3) and

went to Masoko Dispensary for medical examination. Thereat she met Agatha Kyando (PW3), a Clinical Officer, who examined her and found fresh wounds on her chin and neck and also bruises on the labia-majora and perinial tear which suggested intrusion of a blunt object into the vagina. There was also discharge of blood from the tore wound. She then filled the PF3 which was admitted as exhibit P1 without any objection from the appellant. Conscious of the victim's health, PW3 subjected both the victim and the appellant to HIV tests which revealed that the former was negative and the later was positive.

In his sworn defence, the appellant distanced himself from the prosecution's allegations dismissing them as being untrue. He stated that no one went to his house to take palm oil and that other witnesses were not at the crime scene where he was with a child. He requested the trial court to acquit him.

The trial court was satisfied that the prosecution evidence proved the charge beyond doubt and consequently convicted the appellant. It was satisfied that there was sufficient evidence of penetration because the victim told the trial court that the appellant penetrated his penis into her female organ which fact was supported by the Clinical Officer (PW3) who examined the victim's private parts and she found bruises and

perinial tear which suggested that a blunt object penetrated the victim's female parts. More so, the struggle, dragging down the victim and resistance offered by the victim that forced the appellant to bite her and the scratches inflicted on the appellant's face were found to be a clear indication that the victim did not consent to the appellant's wish to have sex with her. Applying the best evidence rule as enunciated in the case of **Selemani Makumba vs Republic,** Criminal Appeal No. 94 of 1999 (unreported), the learned trial magistrate found the victim's evidence was clear that she did not consent. In addition, the trial court entertained no doubt that the appellant was properly identified given the fact that the appellant went to the victim's residence and persuaded her to go to his homestead to collect palm oil, they are neighbours and relatives as well. Finally, the appellant, on the basis of the scratches he had on the face which tallied with the victim's report relayed to PW2, the trial court was satisfied that it was nobody but the appellant who raped the victim.

The foregoing findings of the trial court aggrieved the appellant. He preferred an appeal to the High Court which, unfortunately, was unsuccessful. The High Court concurred with the trial court's findings. The judge was of the view that the victim's evidence required no

corroboration and basing on the case of **Selemani Makumba vs Republic** (supra), her evidence, which gave a detailed account of the ordeal, was sufficient to ground a conviction. The High Court also found the evidence by PW2 not hearsay as what he told the trial court was what he heard from the appellant himself. It was also found that the appellant's conviction did not solely rely on the PF3 or PW3's evidence but on the prosecution evidence as a whole. Discounting the appellant's complaint on the alleged failure to consider the defence case, the learned judge was firm view that the same was considered but it did not raise any doubt on the prosecution case. In the end the learned judge found that the appellant was not ordered to pay fine in terms of section 131(1) of the Penal Code and she accordingly ordered the appellant should pay a fine of TZS 100,000/=.

Still believing that his guilt was not proved to the required standard, the appellant preferred this second appeal, whereupon he lodged this appeal to fault the decision of the High Court upon nine (9) grounds of complaint which are paraphrased as follows:-

1. *The first appellate court failed to evaluate prosecution evidence so as to satisfy itself that the charge was proved beyond reasonable doubt.*

2. *The existence of scratches on the appellant's face was not reported to the police and the one who issued PF3 did not testify.*
3. *The appellant's conviction was based on a single witness (PW1) evidence and all other evidence was hearsay evidence.*
4. *The appellant did not confess to PW2, a hamlet chairperson, otherwise other people from that meeting could have also been called to testify.*
5. *WEO, Village Executive Officer (VEO) or police officers were not called to testify during the trial.*
6. *The case was not investigated by the police officers.*
7. *The evidence of PW1 was not corroborated by other expert evidence like DNA.*
8. *The High Court wrongly based its conviction on the weakness of the defence evidence.*
9. *The victim's failure to scream for help when she was raped signified that the case was a fabricated one.*

When the appeal was called for hearing before us, the appellant had no legal representation, he fended for himself whereas the respondent Director of Public Prosecutions (DPP) was represented by Mr. Basilius Yusuf Namkambe learned Senior State Attorney and Ms Benadetha Thomas Sinyaw, learned State Attorney.

When he was accorded the opportunity to elaborate on the grounds of appeal he had raised, the appellant adopted the grounds of appeal and urged the Court to consider them in the determination of the appeal. He then urged the Court to let the respondent to respond to the appeal after whom he would make a rejoinder.

Mr. Namkambe unreservedly made it clear that he did not support the appeal contending that the appellant's incarceration in the prison is justified and there is nothing to fault the first appellate judge.

Directing his arsenals against the first ground of appeal, Mr Namkambe drew the attention of the Court to pages 50 to 53 of the record of appeal where the trial court considered the prosecution evidence by not only drawing out the ingredients of the offence of rape, but also considered them in relation to the evidence availed to the court and arrived at the conclusion that the appellant's involvement in the commission of the offence was without doubt. More so, he referred us to pages 83 to 85 of the record of appeal where the High Court also reconsidered the prosecution evidence and finally concurred with the trial court's findings on the appellant's guilt. He accordingly urged the Court to dismiss that ground of appeal.

Mr. Namkambe's attack on the appellant's ground two of appeal was based on the application of the well settled legal position that the best evidence in sexual offences comes from the victim. He argued that the victim and PW2 testified on the existence of scratches on the appellant's face. On that account, he submitted, there was nothing the police officer who issued the PF3 would tell the trial court other than the fact that he issued the same. In addition, he submitted that such evidence was enough, for, the number of witness is immaterial in proving a fact and in fostering his assertion he referred us to the Court's decision in the case of **Edward Nzabuga vs Republic**, Criminal Appeal No. 136 of 2008 (unreported). He therefore urged the Court to dismiss the appellant's complaint on that ground.

In controverting the appellant's ground three of appeal, Mr. Namkambe pointed out that the trial and first appellate court did not rely on the direct evidence of the victim (PW1) only but also relied on the direct evidence by PW2 who heard the appellant confess committing the offence and asking for forgiveness. That confession, according to the learned state Attorney, alone was sufficient to found conviction. To augment his assertion he referred us to the case of **Rashid Roman Nyerere vs Republic** (*supra*).

Regarding grounds 4 and 5 which he argued jointly, Mr. Namkambe, submitted that there was no need to call WEO and VEO to testify on account of the testimonies by PW1, PW2 and PW3 being sufficient to prove the charge against the appellant.

In assailing ground six of appeal, the learned Senior State Attorney pointed out that although the police who investigated the case did not testify in court, the record is clear that the matter was reported to the police. He reiterated his stance that number of witnesses is immaterial and that the police was not a crucial witness and his failure to testify did not weaken the prosecution case in view of the strong and clear evidence by the victim, PW2 and PW3.

Absence of DNA profiling or finger prints evidence which forms the crux of the appellant's complaint in ground 7 of appeal was not a big issue to Mr. Namkande for the reason that it is not a legal requirement in proving rape that the victim's evidence must be corroborated. Even if that be the case, he was insistent that the appellant's oral confession before PW2 and the evidence by PW3 who medically examined the victim sufficiently corroborated the victim's evidence.

The appellant's ground eight of appeal was heartedly assailed by the learned Senior State Attorney essentially on the fact that the learned

judge considered the evidence by both sides. To be specific, he argued, the defence evidence was considered at page 86 where she reproduced the same, considered it and found that it could not shake or create doubt on the prosecution case. He added that, the appellant did not cross-examine the witnesses on crucial evidence and matters the prosecution raised in the prosecution evidence which inaction is, in law, regarded that he accepted them as being true. He cited to us, to cement his contention, the case of **Martin Misara vs Republic**, Criminal Appeal No. 428 of 2016 (unreported).

The appellant's ninth ground of appeal could not survive Mr. Namkambe's tireless attack on the appellant's appeal. He contended that the victim (PW1) who was then 63 years old gave a detailed account as to why she could not scream for help. That she was strangled hence no voice could come out. He quickly added that even failure to scream for help does not suggest that the case was a frame up.

On our prompting on the order to pay fine imposed by the learned judge, the learned Senior State Attorney fully supported the learned judge arguing that the trial magistrate forgot to impose it in terms of section 131(1) of the Penal Code and the appellant had an opportunity

to comment on it after the learned State Attorney had raised it during the hearing of the appeal.

In all, the learned Senior State Attorney, for the reasons stated above, implored on us to dismiss the appeal in its entirety.

In rejoinder, the appellant still pressed that it was important for the police who investigated the case and an ordinary villager apart from PW2 to testify so as to prove his involvement in the commission of the offence. He, otherwise, maintained that he did not commit the offence and left it to the Court to consider his grounds of appeal and find them meritorious and consequently let him free.

On our part, we have given a deserving weight to the submission by the learned Senior State Attorney. We have similarly considered the grounds of appeal advanced by the appellant although we had a disadvantage of not hearing the appellant's arguments in their support as he was very brief in his rejoinder.

Carefully considered, the appellant's grounds 3, 7 and 9 tend to question on the reliability of the victim's evidence. So as to sufficiently resolve them, we find a compelling need to reproduce the relevant part of her testimony as recorded by the trial court, thus:-

"I am a Nyakyusa by tribal. I am a peasant. I live at Ikomelo hamlet at Isabule village. I know him because my sister in-law is the grandmother of the accused. Accused is also my neighbour. Accused is a businessman of palm oil at Mbambo.

On 20.12.2014, at about 18:45 hours, I was at my home. Accused come to my home and told me to go to his home to take palm oil. I told him let us do it tomorrow. Accused left the place and soon after came back and told me that he will not be at his home the next day.

I therefore decided to go but accused was the one who left first. After going, I found the accused at his home. I told him give me the oil you told me that you will give me. Accused refused and told me to inter inside his house first. I decide to go back home. Accused came and caught my hand. I fell down and he started to roll/pull me to his house.

There was a mat/turabai down at his house. He put me there and stripped my underwear. He then bit me at my face and neck. By then he started to penetrate his penis to my private parts. I tried to scream but accused strangled me. I was seriously injured as even the scars are still in my face.

After he raped me, I asked the accused to show me the way back to my home as by then it was dark.

Accused refused, and because it was far I slept on the farm of accused's grandfather in the bushes. I felt painful and failed even to walk. I was just crippling by hands and when reached a certain stage I decided to sleep there up to 6:00 am.

I reached home. I went to hamlet chairperson.

All the body parts including ribs, neck and face as well as private parts were paining. I also vomited. The time I left where I slept I used a sick walk.

I reported to kiswigo Mwansasu about what happened that accused raped me. I scratched the accused in his face in order for him to release me. Yes I told the chairperson and they also saw the accused.

After reporting the matter to chairperson I went to the place where there was a meeting and I was with chairperson. Accused was also in that meeting and he was arrested on the spot.

For first time accused denied but after the villagers asked the source of the wound on his face, he admitted that he is the one raped me.

From there accused was sent to executive officer at Masoko and at Masoko we were referred to Tukuyu police station. I was sent to Masoko Dispensary and

after being examined accused was found infected with HIV and I was administered with drugs.

Later we were referred to Tukuyu police and issued with a paper (PF3) and went to Masoko Dispensary where I sent it there.

Accused (Mawazo) is the one who raped me. He slept over me while I lied down upward. It is not far from my house and accused's house. I stay alone at home."

As a starting point we wish to restate that it is now settled law that all witnesses are entitled to credence unless there are good reasons for not doing so, (see **Goodluck Kyando vs Republic** [2006] TLR 363). As to how credibility can be determined the court pronounced itself in the case of **Yasin Ramadhani Chang'a vs Republic** [1999] T.L.R. 489 and **Shabani Daud vs Republic**, Criminal Appeal No. 28 of 2001 (unreported) both quoted in **Nyakuboga Boniface vs Republic**, Criminal Appeal No. 434 of 2017 (unreported), that:-

"a witness's credibility basing on demeanor is exclusively measured by the trial court."

The Court further stated that:-

"Apart from demeanor.... The credibility of a witness can also be determined in other two ways that is, ***one by assessing*** *the coherence of the testimony of the witness, and* ***two****, when the*

testimony of the witness is considered in relation to the evidence of other witnesses."

[see also **Edward Nzabuga vs R**epublic, Criminal Appeal No 136 of 2008, (unreported)],

It is discernable from the victim's evidence, that she was not only clear and detailed on what befell on her when she arrived at the appellant's homestead but was also very consistent. That evidence alone tells it all how she was raped. Like both courts below, we see no reason to disbelieve the victim.

With the above foundation, we now turn to consider the merits or otherwise of the appellant's grounds of appeal seriatim as they were argued by the learned Senior State Attorney save for ground one which will be last to be considered.

The appellant's ground two of appeal suggests that scratches on the on the appellant's face were not reported to the police that is why the police who issued the PF3 did not testify on the existence of the same. More so, the appellant is complaining failure by WEO and VEO to be called to testify for the prosecution. Countering that assertion the learned Senior State Attorney argued that there was no need to call them because PW1 and PW2 had sufficiently testified on what

transpired. The question we asked ourselves is; was there need to call those persons to testify?

The law on proof of a certain fact is clear, as rightly argued by Mr. Namkambe, that truth of certain information is not measured by numbers but by credibility of those relaying the information. We entirely agree with him. Certainly, the law is clear. In terms of section 143 of the Evidence Act, Cap 6 R.E. 2002 (EA), there is no specific number of witnesses required for the prosecution to prove any fact. (See **Yohanes Msigwa v R** (1990) TLR 148). What is important is the quality of the evidence and not the numerical value. As rightly argued by the learned State Attorney there is ample evidence given by PW1 and PW2 on the existence of scratches on the appellant's face and generally what befell on the victim. On the same principle and reasoning, we agree with learned Senior State Attorney that WEO and VEO were not crucial witnesses. There was, therefore, nothing material that would have been added by the police who issued the PF3, WEO and VEO who were neither at crime scene nor in the hamlet meeting where the appellant orally confessed committing the charged offence. Grounds two (2), and five (5) are without merit, they are dismissed.

In ground three the appellant is complaining that he was convicted on the basis of evidence of a single witness, that is, the victim (PW1) only. We think this ground should not detain us. Mr. Namkambe rightly submitted that the appellant's conviction was also based on PW2 and PW3's evidence and his own oral confession before PW2 at the hamlet member's meeting. The record bears out that PW1 reported to PW2 what had befallen on her and when they went to the hamlet meeting they found the appellant who, on being asked, admitted raping the victim and sought for an apology. In addition, PW3 who examined the victim's private parts explained that she found bruises, discharge of blood and perennial tear which signified intrusion of a blunt object. Such evidence by PW2 and PW3 was direct evidence and was considered at page 50 to 54 of the record by the trial magistrate and made a finding that the victim was raped. Similarly, the High Court, subjected to scrutiny the testimonies by PW1, PW2 and PW3 at pages 83 to 86 and concurred with the trial court finding. Needless to mention, in terms of section 3 of EA, oral confession is a valid confession and a conviction can be founded on it. The Court has consistently pointed out that the very best of witnesses is an accused who confesses his guilt provided that the confession is above and free from the remotest taint of suspicion (See **Twaha Ali and Five Others vs Republic**, Criminal

Appeal No. 78 of 2004 (unreported). In the present case we have noted nothing suggesting that the oral confession was extracted through any unlawful means and the appellant did not raise one. As to the value to be attached, it is settled that an oral confession made by a suspect before or in the presence of reliable witnesses, whether they be civilians or not, they carry equal weight to the written one and a valid conviction can be founded on it (See **Director of Public Prosecutions vs Nuru Mohamed Gulamrasul** [1988] TLR 82). In the instant case the appellant confessed before the hamlet members, PW2 inclusive. Hence the two courts below properly relied on the appellant's confession too to found a conviction. Without missing a point, even if the evidence available was that of PW1 (the victim) alone, there would be nothing wrong to convict the appellant based on it. The Court has pronounced itself in many occasions that a fact may be proved by the testimony of a single witness and just to mention one is **Yohanis Msigwa vs R**, [1990] TLR 148. Without assuming the risk of repetition, what matters is the credibility of a witness only and having found that she was reliable then the appellant's conviction could properly be founded on her evidence. We are inclined in that position on the view this Court has trended that in cases of this nature best evidence comes from the

victim. That position was stated in the case of **Selemani Makumba vs. Republic,** (supra) where the court held that;

> *"True evidence of rape has to come from the victim, if an adult, that there was penetration and no consent and in case of any other woman where consent is irrelevant that there was penetration." [Emphasis Added].*

So much for that ground of complaint. Suffice it to say, on the evidence, the complaint that the courts below relied on the testimony of PW1 alone to convict him, is, therefore, baseless and is dismissed.

Ground four of appeal need not detain us so much. As amply demonstrated, the appellant confessed before the hamlet members after he was arrested by PW2 upon an information by PW1 (the victim) that he raped the victim. PW2 testified on what he was told by the victim and also that the appellant confessed committing the offence. We reiterate that number of witnesses is immaterial and PW2 sufficiently explained what transpired after the appellant was arrested. As no ground for doubting what PW2, a hamlet chairman, has been raised by the appellant, like the learned Senior State Attorney, we find no any need for another person to have been called to testify on the point. This ground is dismissed.

In ground six the appellant is complaining that the case was not investigated by police. It seems that failure to call any police to testify troubled the appellant. Once again, as rightly argued by the learned Senior State Attorney, witnesses produced were sufficient to substantiate the allegation leveled against the appellant. It does not occur to us that when there is ample and undisputed evidence that the appellant was arrested and charged, it can, by any degree of imagination, be safely said that the matter did not reach the police station. We find this complaint illogical and we dismiss it.

The need for DNA profiling to corroborate rape offence forms the crux of the seventh ground of complaint by the appellant. Much as we agree that it is not a legal requirement, as rightly contended by Mr. Namkambe, we think there is a wrong thinking that expert opinion evidence overrides oral account of the incident. To wash out that myth, the Court in **Edward Nzabuga vs Republic**, (supra) quoted with approval the observation of the High Court Judge in that case when it went for first appeal, which went thus:-

> *"The issue here is whether only medical evidence is acceptable or admissible in proving penetration or physical injuries to the vagina or body of the victim respectively.*

I'm afraid that courts of law have been gripped with some sort of phobia to expert opinions in particular medical evidence which they hold to be superior to the opinions or evidence of ordinary people, some of whom have got experience on what they are talking about. It smacks of academic arrogance to doubt the evidence of a woman, an adult, like the sixty two year old PW1 Nahemi Sanga in the case at hand when she say that the appellant's penis penetrated into her vagina, simply because a medical report, of a doctor who was not only present at the scene and did not experience the thrust of the penis of the rapist, but depending only on the presence of spermatozoa and bruises in the vagina of the victim to reach his opinion. An expert's opinion is admissible to furnish the court with scientific information which is likely to be outside the experience and knowledge of a judge or jury. If on the proven facts a judge or jury can form their own conclusions without help, then the opinion of an expert is unnecessary."

We also subscribe ourselves to that observation. Oral evidence by PW1, PW2 and PW3 supported with the PF3 (exhibit P1), in our view, sufficiently proved that the victim was penetrated and the appellant to be the ravisher. We, accordingly, find ground seven (7) having no merit.

The appellant's complaint in ground eight (8) is directed towards the weakness of the defence evidence founding the basis of his conviction. This contention was strongly refuted by Mr. Namkambe contending that the evidence by both sides was considered before finding a conviction. Our serious scrutiny and examination of the record revealed, as submitted by the learned Senior State Attorney, that evidence by both sides were considered by both courts below so much that both courts were of a concurrent finding that the charge was proved. And, in respect of the defence evidence which was considerably brief, the learned Judge reproduced it at page 86, analyzed it and found that it was unable to cast doubt on the prosecution case. Worse still, as submitted by Mr. Namkambe, the appellant did not cross-examine PW1, PW2 and PW3 on crucial and incriminating facts so as to challenge them. This is, in law, taken to be admission of such facts. We are, on this, guided by our observation in **Damian Ruhele vs Republic**, Criminal Appeal No.501 of 2007 (unreported) where we said:-

> *"It is trite law that failure to cross-examine a witness on an important matter ordinarily implies the acceptance of the truth of the witness evidence"*

The above position was restated in the case of **Nyerere Nyegue**, Criminal Appeal No. 67 of 2010 (unreported) where it was stated that:

> *"As a matter of principle, a party who fails to cross-examine a witness on a certain matter is deemed to have accepted that matter and will be estopped from asking the trial court to disbelieve what the witness said."*

In the case under our consideration, it is crystal clear that the appellant's challenge on the prosecution witnesses' testimonies did not criticize them on his complicity in the commission of the offence. It is, accordingly, taken that he accepted what they told the court as being nothing but the truth. He cannot now be heard attacking such evidence. These observations suffice to determine the first ground of appeal too. Consequently both grounds (ground 1 and 8) are dismissed.

We think we must out rightly find the ninth ground of appeal unmerited for a reason that the record, and particularly the victim's evidence, tells it all that in his efforts to overcome resistance and to accomplish his desire to rape the victim, the appellant strangled her and bit her on her face. That, as contended by Mr. Namkambe, disenabled the victim to raise voice. She cannot be blamed for that.

All said and for the foregoing reasons, the appellant's appeal against conviction is devoid of merit. Similarly, the imprisonment sentence imposed is the statutory minimum, hence proper. Similarly, the order to pay compensation and fine and the amounts are within the precincts of the law, hence proper. In the end, this appeal is dismissed in its entirety.

DATED at **MBEYA** this 2nd day of April, 2020.

S. A. LILA
JUSTICE OF APPEAL

R. K. MKUYE
JUSTICE OF APPEAL

W. B. KOROSSO
JUSTICE OF APPEAL

The Judgment delivered this 3rd day of April, 2020 in the presence of the appellant in person and Ms. Sara Anesius learned State Attorney for the Respondent is hereby certified as a true copy of the original.

A. H. MSUMI
DEPUTY REGISTRAR
COURT OF APPEAL