

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA  
MOSHI SUB REGISTRY  
AT MOSHI**

**CRIMINAL SESSION CASE NO. 22 OF 2021**

**THE REPUBLIC  
VERSUS**

- 1. FLORENCE S/O ANDREA @ TENGIA**
- 2. URUSULA W/O COSTANTINE SWAI @ MASWAI**
- 3. LIGHTINESS D/O COSTANTINE SWAI**
- 4. MONICA D/O ALPHONCE MANGALO @ MASSAWE**
- 5. NEMES S/O ANTIGONI MASSAWE @ MANGARU**
- 6. DOMINIC S/O PETER MUSHI**
- 7. COSTANTINE S/O LEONI SWAI**

**JUDGMENT**

Last order: 24<sup>th</sup> April 2023  
Judgement: 31<sup>st</sup> May 2023

**MASABO, J.:-**

The accused persons have been charged of the offence of murder contrary to section 196 of the Penal Code, Cap. 16 R.E 2019. In the information instituting the case, it was alleged that the accused persons jointly murdered one Anna Florid Swai on 19<sup>th</sup> July 2020 at Mengeni- Kitasha village within Rombo district in Kilimanjaro region. Required to plead to the charge after they were arraigned on 5/10/2022, all the accused persons denied commission of the offence. Thereafter, the case proceeded to a preliminary hearing whereby the following facts were read out to them:

That, the accused persons murdered the deceased Anna Florid Swai, a wife to one Florid Constantine who is a son to the 2<sup>nd</sup> and 7<sup>th</sup> accused persons. That, the kernel of the murder was frequent matrimonial quarrels between the deceased and her husband which angered his parents and his sister, the 3<sup>rd</sup> accused herein. Together, they formed an intention to end her life so as to permanently separate the couple and restore a peaceful life into their son. To execute their intention, they procured the first accused person who was a traditional healer, and gave him the deceased person's phone number from which a contact was established between her and the first accused person.

That, on the fateful day, 19/7/2020, the deceased had gone for traditional treatment at the first accused's home and while in the course of the treatment, the first accused person hit him with a club on her head which killed her. Having noticed that the deceased was dead, the first accused procured his wife, the 4<sup>th</sup> accused herein and the 5<sup>th</sup> and the 6<sup>th</sup> accused persons who assisted him to carry the deceased body to Tarakea bus stand where they abandoned it until it was found by policemen. That, the first accused person was arrested where by he confessed commission of the offence and named the co accused persons, that is the 2<sup>nd</sup>, 3<sup>rd</sup> and 7<sup>th</sup> accused persons who hired him to commit the offence and the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> accused persons who assisted him afterward.

After these facts were read out and the accused persons were called upon to ascertain the facts not in dispute, the first accused person admitted to have killed the deceased, to have procured the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> accused

persons to have the deceased's body and to have confessed commission of offence at the police station and before justice of peace.

On their turn, the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> accused persons all admitted to have assisted the first accused person to carry the deceased but they stated that by then, the deceased was still alive. To the contrary, the 2<sup>nd</sup>, 3<sup>rd</sup> and 7<sup>th</sup> accused persons denied commission of the offence. At the conclusion of the preliminary hearing, a memorandum of undisputed facts bearing the admission above was drawn and upon been read out to them, they signed it and so were counsels. A post mortem report showing that the deceased died as a result of a severe wound on the backside of her head was also admitted and marked as Exhibit P1 with no objection from the defence.

The case then proceeded to a full trial in which the prosecution was represented by Mr. Kassim Nassir Daudi and Ms. Verediana Peter Muleza, all learned Senior State Attorneys. The first accused person was represented by Ms. Faith Grace Sadalla, the second by Mr. Emmanuel Anthony, the third by Ms. Mary Kway, the fourth by Mr. Geoffrey John, the fifth by Ms. Witness Andrew, the sixth by Mr. Dennis Maro and the seventh by Mr. Ulrich Shayo, all learned counsels.

The prosecution's case was built on the testimonies of 6 witnesses and numerous exhibits encompassing a report of mortem examination of the deceased's body (Exhibit P1), an extra judicial confession statement by the first accused (Exhibit P1A), a certificate of seizure (Exhibit P2), a club (Exhibit

P3) a yellow head scarf is (Exhibit P4) and a jacket (Exhibit P6) believed to have been worn by the deceased on the said date. Two pieces of cloth comprising of a black piece of cloth and a red piece of cloth (Exhibit P5a and P5b), a small phone make Tecno (Exhibit P7), a brown hand bag (Exhibit P8), a certificate of seizure in respect of mobile phones (Exhibit P9) and five mobile phones (Exhibit 10a, 10b, 10c, 10d, and 10e). A sketch map of the scene of crime was admitted as (Exhibit P11), a chain of custody form (Exhibit P12) and two handing over forms (Exhibit P13 and exhibit P14) were also tendered. A statement by a witness namely Ali A. Kitole was also tendered and admitted as Exhibit P15.

In terms of oral testimonies, PW1, Mary George Kazungu, a primary court magistrate and justice of peace, testified that the first accused was brought to her office on 21/07/2022 whereby he offered to make an extrajudicial confession statement which she recorded and had it counter signed by him. She then tendered the extrajudicial confession statement which was admitted with no objection from the defence. PW2: ASP Mohamed Semfuko, arrested the first and the fourth accused persons on the midnight of 20/7/2020 after he was sent to arrest the first accused by the then OCD for Rombo district. Together with 7 fellow policemen, they arrested both accused persons and conducted a search at the first accused's home and in the course of which they seized a brown hand bag and a red-blue colored sweater believed to be the deceased's items. They also seized a yellow head scarf which was later identified as the deceased's, a red and black piece of cloth all stained with blood believed to have come from the deceased's

wound, a club by which the first accused hit the deceased's head, the deceased's mobile phone and the first accused's mobile phone all of which were seized while the two accused person were detained at Mkuu police station.

PW3 G.6208 DC Benson was the investigator of the case. He 'seized' the mobile phones for the first, second, third, and seventh accused person's mobile phones which he found at the police Charge Room Office (CRO) where they were temporarily kept after being seized from the accused persons. He was also responsible for drawing a sketch map of the scene of the crime at the first accused's home. He also interrogated all the accused persons and they confessed to have committed the offence. This witness told the court that he saw a forensic analysis report of the accused persons mobile phones he had seized. He recalled that in the report, it was shown that the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 7<sup>th</sup> accused had correspondence and together they plotted the murder. He produced the mobile phones but did not render the forensic report.

PW4, Francisco Bandeka, a police officer was present at Huruma Hospital during the post mortem examination of the deceased's body. He recalled that, the body an injury at the back side of the head. He also recalled that, a specimen of the deceased's blood and hair were extracted, kept in two separate tubes, labeled, temporarily kept in a fridge at hospital and later on sent to the Chief Government Chemist together with a swab of the club, small pieces the blood-stained yellow head scarf and the red and black

clothes and a buccal swab of the first accused person. This witness was also sent to take the mobile phones seized from the accused person to the police Forensic Bureau headquarters in Dar es Salaam for scientific analysis.

PW5 E 6980 Dsgt Alfred is an exhibit keeper at Mkuu Rombo Police Station. He received the yellow head scarf, the two pieces of cloth, the club, and the deceased's mobile phone and other 6 mobile phones seized from the accused person. He also handed over the exhibits to a fellow policeman so that they may be taken to the CGC and to the Forensic Bureau. Later on, received the exhibits back and kept them. He was responsible for arresting the 2<sup>nd</sup>, 3<sup>rd</sup>, and 7<sup>th</sup> accused persons. He told the court that he arrested them at their homestead at Shimbi Mashame village following a trap they set using the first accused person who phoned the 2<sup>nd</sup> accused in pretense that he wanted to collect his pay for the job he had successfully completed by murdering the deceased.

The last witness, PW6, was the deceased's mother. She testified that she last saw her daughter at home 19/07/2020. She told the court that the deceased was living at her home as she was separated from her husband. She recalled that 19<sup>th</sup> July 2020 was just a normal day. The deceased was on good health and followed her routine until later on the day when she received a phone from a stranger who turned out to be the first accused person. Apparently, he told the deceased that he has obtained her phone number from the 3<sup>rd</sup> accused person who was her sister-in-law. The deceased relayed to PW6 that the stranger had asked her to go to Mengeri

Kitasha where she would meet her husband from whom she was separated. Worried that something bad may happen to her as the couple were not in good terms, PW6 tried to stop the deceased from going to Mengeni Kitasha but the deceased insisted. After she had dressed well, she left for Mengeni Kitasha and told PW6 not to worry as she was just going to meet her husband and she would return afterwards. To her great shock, the deceased never returned until on the next day when policemen came to PW6's home looking for the deceased and after they were told that she was not around they asked PW6 to follow them to Mkuu Police Station where they recorded her statement and revealed to her that her daughter was found lying dead at a road side by policemen who were on night patrol.

The accused persons offered a total denial for their defence. Each of them categorically denied commission of the offence. The first accused testified that he and his partner were arrested by PW2 and fellow policemen who arrived at his home at mid night on 20/7/2020, planted some exhibits and arrested him and his partner. He further stated that he was tortured and made to record confession statements at police station and before justice of peace. In sum be PW2 with whom he has grudges for planting exhibits at his home so as keep him behind bars. Lastly, he denied any knowledge or contact with of the 2<sup>nd</sup>, 3<sup>rd</sup> and the 7<sup>th</sup> accused.

The second, third, and seventh accused persons denied any knowledge or involvement, direct or otherwise, with the first accused person whom they described to be a total stranger. All asserted to have a good relationship with

the deceased and wondered why they would have wanted her dead, let alone hiring a person to kill her. As for the fourth accused person who testified as PW4, all she recalls is that she was arrested together with her partner on the night of 20/7/2020 and they have ever since been under custody. He denied to have assisted the 1<sup>st</sup> accused to ferry the deceased body to the road side where it was found abandoned. Just like the 4<sup>th</sup> accused person, the 5<sup>th</sup> and 6<sup>th</sup> accused persons denied to have provided any assistance in carrying the deceased whether dead or alive.

After closure of the defence, both parties prayed for leave to file final submission which was granted. The defence counsels filed a joint submission which I have taken into consideration whereas the prosecution filed none even after they were granted an extension of time.

Section 196 of the Penal Code, Cap 16 which establishes the offence of murder against which the accused persons are jointly charged, states that:

"Any person who, with malice aforethought, causes the death of another person by an unlawful act or omission is guilty of murder."

The sole issue for determination, therefore, is whether the charge of murder was proved against the seven accused persons. For charge to be said to have been proved, the following three issues need be positively answered namely, *one* whether there was a death of a person, in this case, Anna Florid Swai; *two* whether her death was unnatural; *three*, whether the



accused persons are the one who killed her and *four*, whether they did so with a pre-meditated evil intention (malice aforethought). The duty to provide materials in proof of these issues rests solely on the prosecution as it is cardinal law in criminal trials that, the burden of proof rests on the prosecution to prove the case against the accused person beyond reasonable doubt. The burden never shifts to the accused person even when his defense is tenuous and improbable as a conviction cannot result from the weakness of the accused's defence but the strength of the prosecution's case. Reciting this cardinal principle in **Pascal Yoya@ Maganga v Republic**, Criminal Appeal No. 248 Of 2017, CAT at Arusha, the Court of Appeal instructively held that:

It is a cardinal principle of criminal law in our jurisdiction that, in cases such as the one at hand, it is the prosecution that has a burden of proving its case beyond reasonable doubt. The burden never shifts to the accused. An accused only needs to raise some reasonable doubt on the prosecution case and he need not prove his innocence. See the cases of **Woolmingtonv. Director of Public Prosecutions** [1935] AC 462; Abdi Ally (supra) and **Mohamed Haruna @ Mtupeni & Another v. Republic**, Criminal Appeal No. 25 of 2007 (unreported).

With these legal principles in mind, I will now proceed to assess the evidence and answer the sub issues above raised starting with the first three issues which I will subsequently tackle. As per the preliminary hearing proceedings, the fact that the said Anna Florid Swai is dead and the unnatural occurrence of her death were both undisputed. As intimated earlier on, replying to the facts read out to them during the preliminary

hearing, the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> accused person admitted their involvement in the offence. In particular, the first accused person stated thus;

"I do not dispute my names and address. Also, I do admit that I caused the death of the deceased but it was not intentional. I committed the offence alone. I admitted to have committed the offence at police station and before the Justice of peace."

Also, the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> accused persons assisted me to carry the deceased, although by then the deceased was still alive. Later I told them to leave me alone with the deceased."

From this reply and the 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> accused person's reply, a memorandum of bearing the following undisputed facts was drawn and signed by all the accused persons and their respective counsels. The same revealed a solid disclosure of the causation of the deceased's death and the person responsible. It states;

1. n/a
2. The 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> accused persons do not dispute the fact that they assisted the first accused to carry the deceased
3. The first accused do not dispute the fact that he caused the death of the deceased while alone.
4. The first accused do not dispute the fact that he asked the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> accused persons to assist him to carry the deceased;
5. The first accused person do not dispute the fact that at the police station and before the Justice of Peace, he admitted to have committed the offence.

These facts considered in conjunction with the post mortem report (Exhibit P1) tendered and admitted with no objection at the preliminary hearing and which shows that the deceased died of a severe brain injury resulting from a wound behind her head and a skull fracture, paint a clearer picture of what befell the deceased.

Statutory law and precedents in our jurisdiction recognize preliminary hearing as part and parcel of the trial and matters. In the spirit of shortening the period of trial and ultimately promoting a fair and expeditious trial, matters which are not disputed hence require no proof are deemed to have been proved. section 192 (4) of the Criminal Procedure Act, Cap 20 RE 2022, deals with this issue and provides the following elaborative guide on treatment of facts not disputed at the preliminary hearing stage. It states thus;

(4) Any fact or document admitted or agreed whether such fact or document is mentioned in the summary of evidence or not, in a memorandum filed under this section shall be deemed to have been duly proved; save that if, during the course of the trial, the court is of the opinion that the interests of justice so demand, the court may direct that any fact or document admitted or agreed in a memorandum filed under this section be formally proved.

There is in addition to this provision, a plenty of authorities to the effect that, a preliminary hearing is an essential part of the trial and matters agreed during preliminary hearing form the basis of the decision as they are deemed to have been proved (see **Mchachali v. Republic** Criminal Appeal No. 205

of 2006, **Richard Sipriano & another v. Republic**, Criminal Appeal No. 50 of 2013, CAT (unreported) and **John Madutule @ Ngosha v. Republic**, Criminal Appeal No. 132 of 2012, CAT).

From the foregoing, it can be fairly concluded, as it is hereby done, that no further evidence was required in proof of the following three allegations that; *one*, the deceased died an unnatural death; *two*, the first accused person is the one who prematurely terminated the deceased's life and *three*, the involvement of the fourth, fifth and sixth accused persons as aiders to the principal offender who is the first accused person herein. Having been agreed by the accused persons and listed in the memorandum of undisputed facts drawn in compliance with section 192 of the Criminal Procedure Act, these facts are regarded to have been duly proved. Accordingly and since this court was not presented with anything to show that the interest of justice required otherwise and no leave for formal proof was sought or obtained, I find and hold that, as per these undisputed facts, the post mortem examination report admitted at preliminary hearing as Exhibit P1 and Exhibit P1A bearing the accused person's extrajudicial statement to which I will latter on turn, it was credibly proved that the deceased person, Anna Florid Swai, did not die of a natural death. She died of brain injury sustained from the wound inflicted on her back head by Florence Andrea@ Tengia, the first accused herein, who is the principal offender as he personally executed the unlawful act which killed the deceased.

What remains to be determined in respect of this accused person is whether he had a premeditated intention to kill the deceased. The ascertainment of the first accused's malice, is hinged on his extra judicial confession statement in which he has not only implicated himself but the 2<sup>nd</sup>, 3<sup>rd</sup> and 7<sup>th</sup> accused persons for procuring him to kill the deceased. It also implicates the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> accused persons for aiding him to carry the deceased body to a road side where it was found abandoned. Before embarking on the nitty grits of the confession, let me start to address the concerns raised by the first accused person during cross examination and in the joint final submission by the defence counsels. In both occasions, the defence has sought to discredit the competence of extra judicial statement for noncompliant in form with the general guide for extrajudicial confessions.

However, in my close examination of the statement to ascertain the anomaly ended in vain as the extrajudicial statement appeared to be materially compliant with the format prescribed under the Chief Justice's Guide to Justices of Peace as extensively discussed in ***Japhet Thadei Msigwa vs Republic***, Criminal Appeal No. 367 of 2008 (unreported), ***Jackson Protaz vs Republic*** (Criminal Appeal 385 of 2020) [2021] TZCA [Tanzlii] and ***Marecha Mashala vs Republic*** (Criminal Appeal No. 447 of 2019) [2023] TZCA 123 [Tanzlii]. Among other things, these authorities require that, the extrajudicial confession statement should indicate the time and place of arrest, the place the suspect slept before the date he was taken to the justice of the peace and a disclosure on whether the accused person was notified that the statement may be utilized as evidence against him

during trial and whether he voluntarily made the statement (see ***Japhet Thadei Msigwa vs Republic*** (supra), ***Jackson Protaz vs Republic*** (supra), and ***Marecha Mashala vs Republic*** (supra)).

Through Exhibit P1, it has been well demonstrated that prior to his confession the first accused person was afforded an opportunity to provide his particulars which he duly utilized. He stated the date and day of his arrest and the place he was restrained from the date of arrest to the date he was taken to the justice of peace. He then assured the justice of peace that the confession he was about to make is voluntary as he was neither coerced nor induced to confess commission of the offence. He was also informed and confirmed to her that he was fully aware that the confession he was about to make may be used in evidence against him. The assertion that the extrajudicial confession was materially faulty in form is thus without merit and is disregarded.

I similarly disregard and append no weight to the first accused person's repudiation of the extrajudicial statement which he belatedly made during his defence. When this belatedly repudiation is considered in the light of the unobjected admission of the extrajudicial confession and the first accused person's solid disclosure and admission which I have already dealt with at length, it becomes apparent that it is merely an afterthought.

Back to malice, much as I am aware that the law attaches significant importance to a confession made by an accused person whom it regards as

the best witness (see **Chande Zuber Ngayaga & Another vs Republic**, Criminal Appeal No. 258 of 2020) for such confession to mount a conviction, it must disclose all the ingredients of the offence. This was not the case in point as the first accused person asserted no malice in both, the admission contained in the memorandum of undisputed facts and exhibit P1A. As seen in his reply above, he categorically stated that he killed the deceased but he had no intention. Further, in his confession through Exhibit P1, he stated that when hitting the deceased with a club he was under influence of excessive alcohol which prevented him from appreciating what he was doing. This fact was uncontroverted.

Further, in his extra judicial confession, much as was hired to kill the deceased, he did not intend to execute the murder by his hands as he was afraid. All he had intended was to inflict an injury which would render the deceased unconscious and have her admitted at hospital where it would have been easier for the 2<sup>nd</sup>, 3<sup>rd</sup> and 7<sup>th</sup> accused person to complete their evil intention by poisoning her. This statement infers a common evil intention between him and the 2<sup>nd</sup>, 3<sup>rd</sup> and 7<sup>th</sup> accused persons who had hired him. If found to have been sufficiently proved it is capable of mounting a conviction under section 22 and 23 of the Penal Code which impute criminal liability to several offenders directly involved or participated in the commission of offence as aiders, abettors counsel etc.

To prove common intention between these accused persons, it was expected that the prosecution would establish produce more concrete evidence of

such common intention by rendering corroborative evidence to Exhibit P1A. But, for undisclosed reasons, none was rendered save for the mobile phones seized from these four accused people and the statement by PW3 that the mobile phones seized from the accused person were scientifically examined and the report of which demonstrated that they communicated and plotted the murder. The omission to render the report was intriguing as the said report could have unveil whether the accused persons had correspondence and whether, through such correspondent a common intention was formed between them. The absence of the forensic report has left these questions unanswered as testimony of PW3 is far from being conclusive. The failure to render any plausible explanation for non-production of such a vital piece of evidence attracts a serious doubt on the truthfulness of the prosecution's allegations as to the first accused's malice and his common intention with the second, third and seventh accused persons. At most, it is pregnant with suspicion that possibly the report contained findings not favourable to the prosecution hence its concealment. A fertile ground for an inference adverse to the prosecution was thus cultivated and it is hereby drawn. In consequence thereto, I am unable to infer malice on the first accused as the prosecution has miserably failed to prove the linkage between him and 2<sup>nd</sup>, 3<sup>rd</sup> and 7<sup>th</sup> accused persons with whom he allegedly had a common intention to kill the deceased.

In the foregoing and in view of the cardinal principle that a confession of a co- accused requires corroboration (see section 33(2) of the Evidence Act, Cap 6 RE 2022 and **Majid Hussein Mborio & 2 Others vs Republic**,



Criminal Appeal No. 141 of 2015, CAT at Dodoma (Unreported)), I find the 2<sup>nd</sup>, 3<sup>rd</sup> and 7<sup>th</sup> accused persons to have not been sufficiently implicated. The charge against them was not sufficiently proved.

As for Monica Alphonse Mangalo @ Massawe, Nemes Antigoni Massawe @ Mangaru and Dominic Peter Mushi, the 4<sup>th</sup>, 5<sup>th</sup> and 7<sup>th</sup> accused persons, respectively, their admission in the memorandum of undisputed fact which is also reflected in the Exhibit P1, had nothing do with the murder against which they are charged. As the record will reveal, none participated in the commission of the offence as aiders, abettors or counsellors. They went to the scene after the first accused had inflicted the injury on the deceased. Their typical is that of an accessory after the fact which attracts criminal liability different from the principal offender. Certainly, their situation would have been different had they aided or abetted the first accused person before the commission of the offence in which case, the provision of section 22 and 23 of the Penal Code would have applied. Inferring a criminal liability equal to that of the first accused would certainly contravene the provisions above.

The obvious question emerging from this finding is what action should be taken in respect of these three accused persons considering that their involvement in the incident is deemed to have been sufficiently proved during the preliminary hearing. This question brings into play the settled legal principle that where a person charged with a principal offence he cannot be convicted of being an accessory to that offence unless he was

specifically charged for being an accessory after the fact. Accordingly, the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> accused persons were charged with murder which is the principal offence, they cannot be convicted of being accessories as they were not charged with this offence which is neither a cognate nor minor offence to murder.

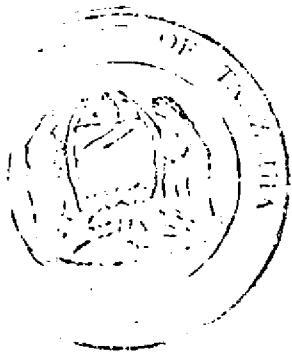
Based on what I have demonstrated, I have come to the conclusion that, although there is sufficient evidence that the accused person unlawfully caused the death of Anna Florid Swai, he is not guilty of the offence of murder against which he was charged as malice aforethought which is a vital ingredient of the offence of murder was not proved. In the consequences thereto and by virtue of section 300(3) of the Criminal Procedure Act [Cap 20 R.E 2022], he is found guilty of a lesser offence of manslaughter for which there is sufficient evidence against him.

In the upshot, FLORENCE S/O ANDREA @ TENGIA, the first accused person herein, is found guilty and I convict him of the said lesser offence of manslaughter contrary to section 195 and 198 of the Penal Code [Cap 16 RE 2022] as an alternative to the offence of murder.

Subsequently, Urusula Costantine Swai @ Maswai, Lightiness Costantine Swai, Monica Alphonse Mangalo @ Massawe Nemes Antigoni Massawe @ Mangaru, Dominic s/o Peter Mushi and Costantine Leoni Swai, the 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> accused persons, respectively are found not guilty and are hereby discharged.

Lastly, having convicted FLORENCE S/O ANDREA @ TENGIA, the first accused person herein, of the lesser offence of manslaughter contrary to section 195 and 198 of the Penal Code [Cap 16 RE 2022], I sentence him to 20 years imprisonment.

DATED and DELIVERED at MOSHI this 31<sup>st</sup> day of May 2023.



A handwritten signature in black ink, appearing to read "J.L. MASABO", is written over a circular stamp.

J.L. MASABO

Judge

31/5/2023