

IN THE HIGH COURT OF NAMIBIA

In the matter between

THE STATE

versus

THOMAS SHINDOBO HAMUKWAYA

[HIGH COURT REVIEW CASE NO. 579/07]

CORAM: PARKER, J. et MANYARARA, A.J.

Delivered on: 2007 June 4

REVIEW JUDGMENT:

PARKER, J:

[1] The accused person was pleaded not guilty to housebreaking with intent to steal and theft. After hearing evidence, the learned magistrate convicted hi and sentenced him. I have perused the record, and I am satisfied that the proceedings are inn accordance with justice, but the formulation of the sentence is wrong.

[2] In the result, the conviction is confirmed and the sentence is set aside and the following is put in its place:

The accused person is sentenced to 18 months' imprisonment, of which six months are suspended for five years on condition that the accused is not convicted of theft, committed during the period of suspension.

PARKER, J

I agree

MANYARARA, A.J.