

CASE NO.: CR 51/07

IN THE HIGH COURT OF NAMIBIA

In the matter between:

THE STATE

versus

KONDJASHILI TITUS

[HIGH COURT REVIEW CASE NO.: 369/07]

CORAM: MULLER, J. et PARKER, J.

Delivered on: 2007 March 26

**REVIEW JUDGMENT:
PARKER, J:**

[1] The accused pleaded guilty to theft. He was convicted on his plea of guilty and sentenced. I have perused the record, and I am satisfied that the proceedings are in 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 is sentenced to a fine of N\$800,00 or to
eight months' imprisonment, wholly suspended for
three years on condition that the accused is not convicted
of assault with the intent to do grievous bodily harm, com-
mitted during the period of suspension.

PARKER, J.

I agree

MULLER, J.