

CASE NO.: CR 49/07

IN THE HIGH COURT OF NAMIBIA

In the matter between:

THE STATE

versus

TIMOTHEUS ELIA

[HIGH COURT REVIEW CASE NO.: 370/07]

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 eight months' imprisonment,

wholly suspended for three years on condition that the accused is not convicted of theft, committed during the period of suspension.

PARKER, J.

I agree

MULLER, J.