



CASE NO.: CR 2/2012

“Not Reportable”

IN THE HIGH COURT OF NAMIBIA

In the matter between:

THE STATE

VS

JOSE MENDOS

(HIGH COURT REVIEW CASE NO.: 2379/2011)

CORAM: PARKER, J et, UNENGU, AJ

Delivered on: 2012 February 7

REVIEW JUDGMENT

PARKER, J [1] In this matter the accused was convicted by the Katutura Magistrate’s Court on one count of attempted robbery and sentenced accordingly.

[2] The proceedings are in accordance with justice, but the formulation of the suspended part of the sentence is not clear; particularly, the crucial clause ‘is not convicted’ was left out of the formulation of the sentence.

[3] In the result, the conviction and sentence are confirmed; but the condition of suspension is deleted and the following is substituted therefor.

A fine of N\$2 000-00 or six months' imprisonment wholly suspended for five years on condition that the accused is not convicted of the offence of robbery or attempted robbery committed during the period of suspension.

PARKER, J

I agree.

UNENGU, AJ