“ANNEXURE 11”

Practice Directive 61

**IN THE HIGH COURT OF NAMIBIA**

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| **Case Title:**  THE STATE // XAVIER DENTLINGER | | **Case No:**  HC-MD-CRI-APP-SLA-2019/00021 |
| **Division of Court:**  HIGH COURT (MAIN DIVISION) |
| **Heard before:**  HONOURABLE MR JUSTICE MILLER, ACTING | | **Date of hearing:**  27 JANUARY 2020 |
| **Delivered on:**  27 JANUARY 2020 |
| **Neutral citation:** *The State v Dentlinger*(HC-MD-CRI-APP-SLA-2019/00021)[2020] NAHCMD 24 (27 January 2020) | | |
| **The order:**  *In chambers:*  **IT IS ORDERED THAT:**   1. The State is granted leave to appeal against the sentence. 2. The matter is removed from the roll and is considered as finalised. | | |
| **Reasons for the above order:** | | |
| [1] The State seeks leave to appeal against the sentence imposed by the Magistrate on 19 March 2019 following his conviction on a charge of attempted murder read with the provisions of the Combating of Domestic Violence Act 4/2003.  [2] The sentence imposed was the following:  ‘six months imprisonment, wholly suspended for a period of five years on condition that the accused is not convicted of attempted murder or of assault committed during the period of suspension.’  [3] Having read the papers, I am of the view that there is a reasonable prospect that the court of appeal may interfere with the sentence imposed.  [4] The appellant is granted leave to appeal against the sentence. | | |
| **Judge’s signature:** | **Note to the parties:** | |
|  | Not applicable. | |
| **Counsel:** | | |
| **Applicant** | **Respondent** | |
| C Lutibezi  *of*  Office of the Prosecutor-General, Windhoek | In person | |