“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.
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| **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 |