

“ANNEXURE 11”  
Practice Directive 61

**IN THE HIGH COURT OF NAMIBIA**

<b>Case Title:</b> THE STATE // XAVIER DENTLINGER	<b>Case No:</b> HC-MD-CRI-APP-SLA-2019/00021
	<b>Division of Court:</b> HIGH COURT (MAIN DIVISION)
<b>Heard before:</b> HONOURABLE MR JUSTICE MILLER, ACTING	<b>Date of hearing:</b> 27 JANUARY 2020
	<b>Delivered on:</b> 27 JANUARY 2020
<b>Neutral citation:</b> <i>The State v Dentlinger</i> (HC-MD-CRI-APP-SLA-2019/00021) [2020] NAHCMD 24 (27 January 2020)	
<b>The order:</b>  <i>In chambers:</i>  <b>IT IS ORDERED THAT:</b>  1. The State is granted leave to appeal against the sentence.  2. The matter is removed from the roll and is considered as finalised.	
<b>Reasons for the above order:</b>	
<p>[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.</p> <p>[2] The sentence imposed was the following:</p> <p style="padding-left: 40px;">‘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.’</p> <p>[3] Having read the papers, I am of the view that there is a reasonable prospect that the court of</p>	

appeal may interfere with the sentence imposed.

[4] The appellant is granted leave to appeal against the sentence.

<b>Judge's signature:</b>	<b>Note to the parties:</b>
	Not applicable.
<b>Counsel:</b>	
<b>Applicant</b>	<b>Respondent</b>
C Lutibezi <i>of</i> Office of the Prosecutor-General, Windhoek	In person