

REPUBLIC OF NAMIBIA



HIGH COURT OF NAMIBIA MAIN DIVISION, WINDHOEK

JUDGMENT

Practice Directive 61

Case Title: NIKODEMUS URIKHOB and MINISTER OF SAFETY AND SECURITY MINISTRY OF JUSTICE: PROSECUTOR GENERALMARTHA IMALWA RESPONDENT	Case No: HC-MD-CIV-MOT- GEN-2021/00448
	Division of Court: HIGH COURT (MAIN DIVISION)
Coram: COLEMAN J	Heard: 16 SEPTEMBER 2022
	Delivered: 20 OCTOBER 2022
Neutral citation: <i>Urikhob v Minister of Safety and Security</i> (HC-MD-CIV-MOT-GEN-2021/00448) [2022] NAHCMD 571 (20 October 2022)	
Order: 1. The matter is removed from the roll for lack of urgency.	

2. No order as to costs.

Reasons for orders:

COLEMAN J:

[1] This is an extraordinary application by the applicant in person. He brought this application as an urgent application in November 2021. He is serving a 25 year prison sentence, of which 5 years remain. His relief focuses on finger prints which led to his conviction in his criminal trial.

[2] The Government Attorneys, on behalf of respondents, raise a number of issues including, urgency, lack of jurisdiction and *res judicata*. They also contend that applicant is vexatious by persistently litigating without merit. According to them this issue of applicant's finger prints and his conviction in the criminal court long ago was adjudicated on a number of times. Applicant denies that.

[3] During his address to court applicant articulated that what he actually wants is certified copies of the police docket of the criminal case in which he was convicted 20 years ago. He contends that there was some irregularity with his finger prints which he wants to be investigated. Although these are clearly issues that should have been dealt with on appeal to the Supreme Court, if there is a semblance of truth in applicant's contentions, it cannot just be ignored.

[4] Ms Kastoor who appeared on behalf of the respondents generously undertook to

make every effort to obtain certified copies of the police docket for applicant. I trust she will do so.

[5] This application is flawed on many levels. Amongst others, it clearly lacks urgency. I do not intend to address every issue raised since hopefully applicant's concerns will be addressed with the assistance of Ms Kastoor and applicant will relent.

[6] Consequently I remove the matter from the roll because it is clearly not urgent.

Judge's signature	Note to the parties:
<p style="text-align: center;">Coleman Judge</p>	<p style="text-align: center;">Not applicable.</p>
Counsel:	
Applicant	Respondents
<p style="text-align: center;">N Urikhob Applicant in person Windhoek</p>	<p style="text-align: center;">M Kastoor Of Office of the Government Attorney Windhoek</p>