

REPUBLIC OF NAMIBIA



IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION

HELD AT WINDHOEK

EX TEMPORE LEAVE TO APPEAL JUDGMENT

Case Title:	Case No: CC 9/2014
Charles Noabeb Applicant	Division of Court: High Court, Main Division
v	
The State Respondent	
Heard before:	Heard on: 7 June 2023
Honourable Justice D Usiku	Delivered on: 7 June 2023
Neutral citation: <i>Noabeb v S</i> (CC 9/2014) [2023] NAHCMD 303 (7 June 2023)	
ORDER:	
[1] The application for leave to appeal partially succeeds. 1. Judgment is delivered ex tempore. 2. The application for leave to appeal in respect of the conviction is refused. 3. The application for leave in respect of the sentences imposed is granted.	
REASONS FOR ORDERS:	
D Usiku J:	

[2] The application has prospects of success in respect of the sentences imposed. The Supreme Court may impose a different sentence in the light of the Zedekia Geingob case.

[3] In the result, the following order is made:

1. Judgment is delivered ex tempore.
2. The application for leave to appeal in respect of the conviction is refused.
3. The application for leave in respect of the sentences imposed is granted.

Judge's signature	Note to the parties:
	Not applicable
Counsel:	
Applicant	Respondent
Mr C. Noabeb- in person Windhoek Correctional Facility	Mr E Moyo Office of the Prosecutor General- Windhoek