

REPUBLIC OF NAMIBIA



IN THE HIGH COURT OF NAMIBIA, NORTHERN LOCAL DIVISION, OSHAKATI
APPEAL JUDGMENT

Case Title: <i>Teofelus Paulus Nghilifavali v The State</i>	Case No: HC-NLD-CRI-APP-CAL-2020/00017
	Division of Court: Northern Local Division
Heard before: Honourable Mr. Justice January J <i>et</i> Honourable Ms. Justice Salionga J	Head: 25 June 2020 Delivered on: 06 August 2020
Neutral citation: <i>Nghilifavali v S</i> (HC-NLD-CRI-APP-CAL-2020/00017) [2020] NAHCNLD 103 (6 August 2020)	
The order: 1. The appeal is dismissed.	
Reasons for order: January J (Salionga J) concurring: [1] The appeal is against sentence. [2] The appellant is representing himself and the respondent is represented by Mr Gaweseb. [3] The appellant pleaded guilty to a charge of malicious damage of property, an	

aluminium window worth N\$5500. He was sentenced to 24 months imprisonment.

[4] The applicant raised no ground of appeal but only prays for a fine to be imposed.

[5] He stated in this court that there is no misdirection by the magistrate.

[6] Mr Gaweseb submitted that there is no misdirection by the magistrate. That the offence is serious and that the appeal should be dismissed.

[7] I could not find any misdirection and the sentence is not shocking or inappropriate.

[8] In the result:

1. The appeal is dismissed.

Judge(s) signature	Note to Parties;
January J	None
Salionga J	None
Counsel:	
Appellant	Respondent
Mr T P Nghilifavali Oluno Correctional Facility, Ondangwa	Mr T Gaweseb Office of the Prosecutor-General, Oshakati