

**IN THE COURT OF APPEAL OF TANZANIA
AT ARUSHA**

CRIMINAL APPEAL NO. 127 OF 2013

(CORAM: KIMARO, J.A., LUANDA, J.A., And MJASIRI, J.A.)

JUMA HANJE APPELLANT

VERSUS

THE REPUBLIC RESPONDENT

**(Appeal from the conviction and sentence of the High Court of Tanzania
at Arusha)**

(Massengi, J.)

Dated the 13th day of May, 2013

in

Criminal Appeal No. 75 of 2013

ORDER OF THE COURT

KIMARO, JA.:

The appellant in this appeal was charged and convicted of the offence of unlawful possession of government trophy contract to paragraph 14 (d) of the 1st schedule and section 60 (2) of the Economic and Organized Crimes Control Act Cap 2009 of the Laws read together with section 70 (1) and (2) (c) (iii) of the Wildlife Conservation Act, Cap 283 of the Laws. He was sentenced to 10 years imprisonment. The conviction and sentence were sustained by the High Court. He was aggrieved and filed a notice of appeal against the conviction and sentence on 28/05/2013.

The appeal was called for hearing today. He did not enter appearance although he was dully served.

The Respondent/Republic was represented by Ms Sabina Silayo learned Senior State Attorney, assisted by Ms. Alice Lutenga, learned State Attorney. Given the absence of the appellant, Ms. Silayo prayed that the appeal by the appellant be dismissed because he has neither filed the grounds of appeal, nor entered appearance. She prayed that the Court invokes the provision of Rule 72 (5) of the Court of Appeal Rules, 2009.

Indeed the position of the case is as explained by the learned Senior State Attorney. The appellant has not filed the memorandum of appeal and he failed to appear in Court today. The summons were dully received by him.

As he has defaulted to enter appearance and failed to file the memorandum of appeal, the appeal is hereby dismissed under Rule 72 (5) of the Court of Appeal Rules, 2009. It is ordered.

DATED at ARUSHA this 13th day of July, 2015.

N. P. KIMARO
JUSTICE OF APPEAL

B. M. LUANDA
JUSTICE OF APPEAL

S. MJASIRI
JUSTICE OF APPEAL

I certify that this is a true copy of the original.

E. Y. MKWIZU
DEPUTY REGISTRAR
COURT OF APPEAL