

17

THE REPUBLIC OF UGANDA

IN THE CHIEF MAGISTRATE'S COURT OF KAMPALA AT BUGANDA ROAD

KLA -00-CR-CO-0399 -2017

(Arising from CRB -658 - 2017)

UGANDA

.....

PROSECUTION

VERSUS

A1: AHIMBISIBWE ANATOLI

A2: MUHIRWE NEWTON

A3: MULODI ALEX

.....

ACCUSED

PROCEEDINGS

BEFORE HER WORSHIP MANGENI MARION, MAGISTRATE GRADE ONE

8/5/2017

3 accused in court.

Nandala for state

Kavuma: Clek/interpreter

State: Matter for plea taking.

Court: Charges read and explained to the accused person in Luganda.

A1: I have understood.

True I was found with those things.

Court: Plea guilty entered.

A2: I have understood.

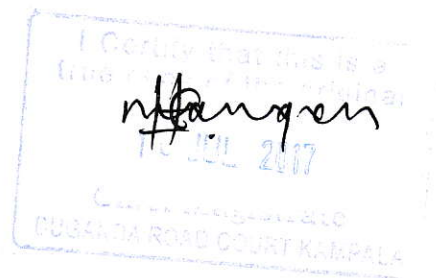
True I was found with those things

Court: Plea guilty entered.

A3: I have understood.

True I was found with them

Court: Plea guilty entered.



State: I am stepping in for my colleagues who handle wildlife. I am not ready with the brief facts. I pray for a short adjournment.

Court: Case is adjourned to 9/5/2017 at 9:00am for brief facts. All accused persons are remanded to prison.

**Sgd
Nahirya Esther
Magistrate Grade One
08/05/2017**

9/5/2017

All three (3) accused present.

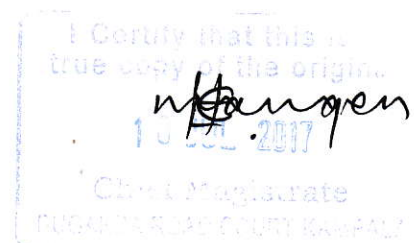
Winnie for state

Kavuma – clerk.

State: Case for brief facts. I am ready to proceed.

Court: Lets proceed.

State: It is alleged that an informant working with police who was also in contact with the accused persons informed police of the fact that the accused persons had in their possession illegal wildlife trophies. Acting on police advise, the said informant convinced the accused persons to bring the said products at Centenary Bank – Entebbe Road since he had found a buyer. On 27/4/2017, the suspects brought the trophies at Centenary bank –Entebbe road where police had already been deployed specifically attached to Flying Squad Kampala –CPS. The said trophies were in a white sack and police having identified the suspects and the sack proceeded to have them arrested. The suspects were taken to police CPS – Kampala and sack opened, in it they found one piece of ivory and different pieces of Hippopotamus teeth. Four (4) suspects were arrested and one being an



informant was released and the three forwarded to Court. The Hippo teeth are 46 pieces. That is all.

State: I pray to tender the 1 piece of ivory and 48 pieces of Hippopotamus teeth and the Exhibit slip.

Accused:

A1: The facts are true. We had the items

A2: the facts are true. We had the items.

A3: The facts are true. We had the items.

Court: The exhibits along with the exhibit slip are allowed and accepted as P.E1. The accused persons are accordingly each convicted on their own plea of guilty.

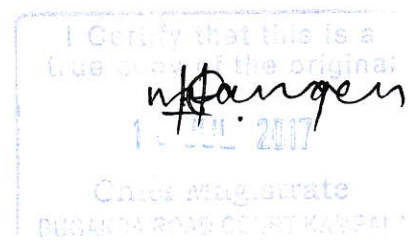
Sgd
Mangeni Marion
Magistrate Grade One
09/5/2017

Previous Record: Nil. The accused can be taken as first offenders. They have pleaded guilty hence not wasted court's time. Cases of illegal possession are rampant. Ivory and Hippo teeth are rare species. Wildlife is a great GDP booster in this country. I pray they be given a deterrent sentence.

Allocutus:

A1: I pray for forgiveness. I have a family. We stay in a rental home. I am the sole care giver. I pray for leniency.

A2: I pray for forgiveness. I was only escorting A1. I have a family, dependants. I am a sole care –giver. I pray for leniency.



A3: I pray for forgiveness. I have children and orphans that I take care of. I am a primary care –giver. I pray for leniency.

**Sgd
Mangeni Marion
Magistrate Grade One
09/5/2017**

Sentence and reasons

Sentence:

The convicts are accordingly sentenced to pay a fine of three (3) million Ug. Shs. Each in default to each serve a term of twenty four (24) months imprisonment.

Reasons

The convicts are first offenders. They have each pleaded guilty thereby not wasting court's time and resources a sign that they are remorseful. However, cases involving wildlife trophies are on the rise within our jurisdiction and call for deterrent measures.

**Sgd
Mangeni Marion
Magistrate Grade One
09/5/2017**

Delivered in open court.

Right of explained to parties.

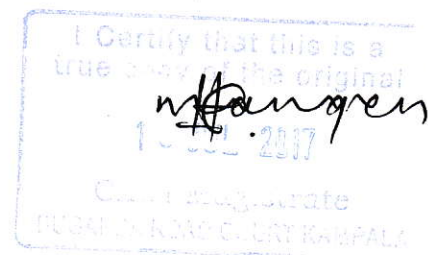
**Sgd
Mangeni Marion
Magistrate Grade One
09/5/2017**

10/5/2017

A3 present.

Elizabeth for state

Kavuma – clerk.



Court: A3 in court on production warrant following payment of a fine of Uganda Shs three (3) million vide PRN 2170002214795 dated 9/5/2017 and is accordingly released.

**Sgd
Mangeni Marion
Magistrate Grade One
10/5/2017**

Court: It is hereby ordered that the wildlife trophies to wit:- One (1) piece of Ivory and 48 pieces of Hippopotamus teeth be handed over to the Executive Director – UWA for safe custody. I so order.

**Sgd
Mangeni Marion
Magistrate Grade One
10/5/2017**

15/6/2017

Elizabeth for state

Lillian –clerk/interpreter

Convict in Court.

Prosecution: I have no objection for accused being released upon payment of a fine of 3M in satisfaction of his sentence.

Court: A2 who is a convict before Court on Production Warrant upon payment of a fine of 3M in satisfaction of his sentence and he is accordingly released.

**Sgd
Anyeko Susan
Magistrate Grade One
15/6/2017**

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