

THE REPUBLIC OF UGANDA

**IN THE CHIEF MAGISTRATE'S COURT OF KAMPALA AT BUGANDA ROAD
CRIMINAL OFFENCE NO.1000 OF 2020**

UGANDA

.....

PROSECUTION

VERSUS

SERWADA JOSEPH

.....

ACCUSED

PROCEEDINGS

22/10/2020

Accused present

Winnie Namayenje for state

Elizabeth –court clerk

State: The matter is for plea.

Accused: I only understand runyankole.

Court: Matter for plea. No interpreter.

Trial Magistrate indisposed.

The matter is adjourned until 29/10/2020 for plea before the Chief Magistrate.

Accused person is accordingly remanded until then.

Sgd

Mangeni Marion

Magistrate Grade One

22/10/2020

29/10/2020

Accused in court.

Via Andrew

Charge sheet read and explained.

Accused: it's false. Plea of not guilty entered.

State: Inquiries complete.

Right of bail explained.

No surety.

Court: Remanded till 11.11.2020.

Sgd

Magistrate Grade One

11/11/2020

Accused is absent.

Court: Production warrant to issue for 2/12/2020.

Sgd

Ayo Miriam E. Okello

Chief Magistrate

2/12/2020

Accused in court.

Andrew –counsel for accused.

Winnie –state

Liz –court clerk.

Dan –interpreter

Counsel for accused: Accused wishes to change plea.

Court: charge read and explained to accused in runyankole.

Accused pleads: Its true, plea of guilty entered.

Brief facts: Accused on 15/10/2020 at Kabale "A" Rubirizi District ^{wigs} as found in possession of ivory. He was found in possession of ivory. He was arrested and taken to Rubirizi then CPS Kampala. The ivory was exhibited. There were 10 pieces. The expert examined the ivory who confirmed they were ivory 11 pieces.

Counsel for Accused: No objection.

Court: 11 pieces of ivory together with the exhibit slip dated 16/10/2020 admitted marked as P.G1.

Expert report dated 22/10/2020 admitted marked P.GII.

Accused: Facts are correct.

Court: Accused is convicted on his own plea of guilty.

Reasons: No previous record. Accused has been on remand from 1 month. The offence is rampant.

I pray court to take into account that elephant ^{are rare} ~~do rate~~. I pray for a reformative sentence and the order that the exhibit is handed over to Executive Director, UWA.

Mitigation: The convict is a first offender. We pray that the convict be considered and is given a 2nd chance.

I pray for 2 million.

Sentence: Accused is a first offender. He has realized his mistake from the 11 pieces of ivory exhibited. I am not in doubt the three elephant lost their lives. Such unlawful acts must be discouraged.

I have considered the prayer for the defence in mitigation the convict ought to have notified the authority of the decomposing elephants. He should reform from such. As a first offender court will be lenient and sentence him 4 years imprisonment or pays a fine of 3 million Shillings.

Sgd *M Okello*

Ayo Miriam E.Okello

Chief Magistrate

Court: Let the 11 pieces of ivory be handed over to Executive Director, UWA.

Sgd *M Okello*

Ayo Miriam E.Okello

Chief Magistrate