

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA - NAKAWA CENTRAL CIRCUIT
CRIMINAL APPEAL NO. 02 OF 2013
(Arising from Entebbe Chief Magistrates' Court Criminal Case No.
0654 of 2009)

KIIZA VINCENT ::
APPELLANT

V E R S U S

UGANDA ::
RESPONDENT

BEFORE: HON. LADY JUSTICE ELIZABETH IBANDA NAHAMYA

R U L I N G

Court: This is a 2009 matter in which Appellant is appealing against a Judgment in Chief Magistrates Court in Entebbe i.e. Criminal Case No. 0654 of 2009. The Notice of Appeal was lodged on 3rd January 2013 by Owiny-Dollo Legal Services on behalf of Appellant. No Memorandum of Appeal has ever been filed. There are two Affidavits of Service one is dated 23rd October 2013 and another which is more recent is dated 28th November 2013 informing Kiiza Vincent to appear on 29th November 2013. It was effectively served on Accused on 13th November 2013 at 10:00AM by Process Server of the High Court. The Accused has not appeared or given reasons for his absence. Neither have his Lawyers appeared. I tend to agree with State Attorney Mr. Julius Tuhairwe that it was filed to defeat the ends of Justice. I also agree that

it is an abuse of Court Process to keep a matter pending without taking any steps to prosecute or pursue it. This Court will not lend a hand to incessant delays from the Appellant Pursuant to S. 17 (2) of the Judicature Act. I hereby **DISMISS** this matter. The matter should be struck off from the Court's Cause list.

Signed:.....

Hon. Lady Justice Elizabeth Ibanda Nahamya

J U D G E

29th November 2013