

**THE REPUBLIC OF UGANDA**  
**IN THE HIGH COURT OF UGANDA HOLDEN AT KAMPALA**  
**CRIMINAL DIVISION**  
**CRIMINAL APPEAL NO. 115 OF 2014**  
**(Arising from Buganda Road Court Criminal Case No.174 of 2013)**

**OYIRWORTH GODFREY :::APPELLANT**  
**VERSUS**  
**UGANDA:::RESPONDENT**

**RULLING BY HON. MR. JUSTICE JOSEPH MURANGIRA**

The appeal No. 115 of 2014 came up for hearing today. Counsel for the respondent, Ms. Jacquelyn Okui, Senior State Attorney is in Court. The appellant and his Counsel are absent. There is an affidavit of service on record which reads that Counsel for the appellant refused service of the Court documents, saying that their client was no longer interested in this appeal.

Further, I have perused the lower Court record and noted that the appellant served his sentence by paying the fine of Shs.700,000/=. Shs. 600,000/= was paid and received by the complainant, Kimbwebwe Josephat on 31/10/2014. He acknowledged receipt of the said monies in his own handwriting on a request letter for his compensation, filed in Court. That explains lack of interest in this appeal by the appellant.

Further, upon an application by Counsel for the respondent to have this appeal dismissed for want of prosecution, I hereby dismissed this appeal pursuant to Section 44 (1) (b) of the Criminal Procedure Code Act, Cap.116 laws of Uganda.

Accordingly, therefore, the conviction and sentence by the Trial Magistrate are upheld.

**Joseph Murangira**

**Judge**

**12/8/2015**