

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA SITTING AT ARUA
CRIMINAL CASE No. 0187 OF 2014

UGANDA **PROSECUTOR**

VERSUS

A1. ATHOCON ALFRED }
A2. ONYUTHI MOSES } **ACCUSED**
A3. ODONGO JENANO }
A4. OCOR BENARD }

Before Hon. Justice Stephen Mubiru

JUDGMENT

The accused are jointly indicted with four counts of Aggravated Robbery c/s 285 and 286 (2) of *The Penal Code Act*. It is alleged that the four accused and others still at large on 30th April 2013 at Japanyanda village, Nyapea Sub-county in Zombo District robbed; in Count 1, Ocamgiu Stephen of three goats; in count 2, Awachango Paskwale of two goats; in count 3, Ogenmungu Godfrey of one goat; and in count 4, Ocamgiu Victor of shs. 250,000/=, and in the four cases at, immediately before or immediately after the said robbery, threatened to use a deadly weapons, to wit, bows, arrows, pangas and slashers on each of the named victims.

The prosecution case is that sometime before 30th April 2013; P.W.3 Awacango Paskwale bought a piece of land at Palei Jupanyanda village from a one Ocaki Nestore. The family of the accused persons was displeased with the purchase since they claimed the same land as theirs. Matters came to a head on 30th April 2013 when a confrontation started in Awacango Paskwale's garden, then proceeded to the home of Stephano. A group of young men attacked the victims named in the indictment, inflicted injuries on them and stole their goats, sheep and cash. At the conclusion of the trial, Counsel for the accused on state brief, Ms. Winfred Adukule conceded that theft had been proved and the use of violence during that theft. She also conceded that the assailants were in possession of deadly weapons during the attack but contested the evidence of identification. She argued instead that the defences raised by the accused persons should be believed and

therefore all should be acquitted. The learned State Attorney Mr. Emmanuel Pirimba replied that each of the accused had properly been identified as a participant in the commission of the offences and therefore they should be convicted accordingly. The assessors advised that they should be acquitted of Aggravated Robbery and instead be convicted of Affray.

In this case, the prosecution has the burden of proving the case against the accused beyond reasonable doubt. The burden does not shift to the accused person and the accused is only convicted on the strength of the prosecution case and not because of weaknesses in his defence, (See *Ssekitoleko v. Uganda [1967] EA 531*). By their respective pleas of not guilty, the accused put in issue each and every essential ingredient of the offence with which they are charged and the prosecution has the onus to prove the ingredients of each count beyond reasonable doubt. Proof beyond reasonable doubt though does not mean proof beyond a shadow of doubt. The standard is satisfied once all evidence suggesting the innocence of the accused, at its best creates a mere fanciful possibility but not any probability that the accused are innocent, (see *Miller Vs Minister of Pensions [1947] 2 ALL ER 372*).

For the accused to be convicted of Aggravated Robbery, the prosecution must prove each of the following essential ingredients in respect of counts one and two, beyond reasonable doubt;

1. Theft of property belonging to another.
2. Use or use threat of use of violence against the victim.
3. Possession of a deadly weapon during the commission of the theft.
4. The accused participated in commission of the theft.

The first ingredient requires proof of the fact that property belonging to the complainants in each of the counts was stolen. For this ingredient, there must be proof of what amounts in law to an asportation (that is carrying away) of the property of another without his or her consent. The property stolen in this case is alleged to be three goats in Count 1; two goats in count 2; one goat in count 3; and shs. 250,000/= in count 4. The evidence in relation to this ingredient was provided by P.W.2 Owothi Luigi who testified that the assailants killed one goat and took away five goats from Stephano's home. P.W.3 Awacango Paskwale too testified that he saw the assailants beat one big goat to death and take away six. Two of the goats taken were his and the rest belonged to his father and brother Ogenmungu. P.W.4 Stephano Ocamgiu testified that he saw the assailants take away three sheep and three goats. One He goat belonged to Ogenmungu.

P.W.5 Ocamgiu Victor testified that in the scuffle with the assailants, his cash shs. 250,000/= contained in a polythene bag, which had been given to him earlier that day for payment of school fees fell down and he saw one of the assailants pick it. One of their goats was hit on the head and it died. They untied three goats and three sheep and took them away. P.W.6 (No. 41587 D/Sgt. Oyeki Silvano testified that he recovered the stolen goats from the home of A.2, they were five goats and one sheep. They were photographed at the police station, and the photograph, exhibit P.Ex. 6 was tendered in court.

On his part D.W.1 Alfred Athocon denied any involvement in the theft. D.W.2 Onyuthi Moses stated that he met A.1 with the goats along the way as he returned home and advised him to take them back to the owners since it was wrong to confiscate them as he said for purposes of meeting the medical costs of treating A3 who was hurt during the fight. He took the goats away from A1 but his attempt to return them was futile as he did not find anyone at Stephano's home and so he kept them overnight until the following day when he was arrested and the goats recovered from his home. D.W.3 Odong Jenan denied any involvement. He said he was instead the victim of an attack by Degu and Kutho. D.W.4 Ucor Bernard denied any involvement in stealing the goats. D.W.5 Wabedswa Dennis denied participation in the stealing but instead learnt about the goats from what A.2 told him about the them. Counsel for the accused conceded to this ingredient in her final submissions. Considering the evidence as a whole and in agreement with the joint opinion of the assessors, I find that the prosecution has proved beyond reasonable doubt that the items stated in each of the four counts were stolen from the victims of the offences.

As to whether that theft involved the use or threat of use of violence against the victims, to prove this ingredient, there must be proof of the use or threat of use of some force to overcome the actual or perceived resistance of the victim. In this the prosecution relies on the oral testimony of P.W.2 Owothi Luigi who testified that the assailants had bows, arrows and pangas and killed one goat by hitting it on the head. They said "today we are going to fight." They started running after the victims with arrows. Ogenmungu was struck by three arrows in the waist. Stephano was hit on both arms with clubs and both arms were swollen. P.W.3 Awacango Paskwale testified that A.4 found him in the garden and threatened him that if he was strong enough he should stay in the garden for he was to bring his boys. When the group came later, they said "today we are

going to kill the whole clan.” They came with bows, arrows and slashers. They beat up his paternal uncle. They pursued him up to the home of his uncle Charles Oryema. They said, “let us go downhill to the home of Stephano where we shall find people and kill them today.” They beat up Stephano. Ogenmungu was hit with clubs on the waist. He was shot with arrows in the neck. At the time he saw him, he had fallen to the ground and the assailants were assaulting him. They shot arrows at them as they chased them from the home. He saw A.1 hit a goat to death. P.W.4 Stephano Ocamgiu testified that the assailants were armed with bows, arrows, pangas, sticks and other weapons. One of them Ocanda wanted to shoot him but he was stopped by his colleagues who advised him to shoot the younger one instead. They then shot Ogenmungu in the neck, on the leg and on other parts of the body. An arrow shot at him by Ocanda grazed his finger and another, the calf of his leg as he fled. A4 pursued him and hit his left arm with a stick. A.4 threw a stone at him and it hit his arm, crushing his wrist watch. In an attempt to cut P.W.5, A.I instead cut A.3 by mistake. P.W.5 Ocamgiu Victor testified that when he arrived at the scene, he found A.4 holding a stone, a slasher and a panga. He was saying, “today we are going to kill you all. You are our target and today is the day.” A.3 knocked him down to the ground and in an attempt to cut him, A.1 instead cut A.3. He saw injuries sustained by his brother Ogenmungu on the neck, back, chin and elbow. P.W.6 No. 41587 D/Sgt. Oyeki Silvano testified that when he arrived at the scene, he found Ogenmungu bleeding profusely. He had been shot with an arrow in the arm and the arrow was still stuck in the arm. He recovered some of the weapons abandoned at the scene. They included a bow, three arrows, one of which he himself pulled out of Ogenmungu’s arm where it was still stuck. These were exhibited as exhibit P.Ex. 8.

On his part, D.W.1 Alfred Athocon denied any involvement in the attack. He said he had instead responded to an alarm only to find his son A.3 and Ocho on the ground bleeding. He rushed A.3 to Nyapea Hospital. D.W.2 Onyuthi Moses denied any involvement in the attack. He said he instead met A.1 with the goats on the way and advised him to take them back. D.W.3 Odong Jenan denied any involvement. He was instead the victim of an attack by Degu and Kutho. He sustained a cut on the nose, inflicted with a panga. He was also assaulted with logs until he became unconscious. D.W.4 Ucor Bernard denied any involvement in the attack. He was attacked by people he found digging on his land who assaulted him. He sustained a cut on the head and was taken to hospital. D.W.5 Wabedswa Dennis testified that he met Ocanda along the

way who told him he was returning from a fight over land. He subsequently met A.4 who had injuries on the head and he rescued him from a crowd that had been digging in his garden, which was attacking him. The mob then turned onto A.3 and inflicted on him a cut on the nose and also beat him on the shoulder. The mob was carrying pangas, arrows, slashers and other weapons. A.4 had a club in his hand. Counsel for the accused contested this during her final submissions, arguing that the force was in respect of recovery of land and was not linked to the taking of the goats. She therefore argued that this element had not been proved beyond reasonable doubt.

I understand the evidence adduced by the prosecution as suggesting that the accused persons carried out a single scheme by successive acts, such that the necessary ingredient of violence must be perceived within the context of that scheme as one single transaction. From this perspective, the taking of the livestock was so proximate to the violence used in the attempt to evict the victims from the disputed land that it cannot be distinguished as a distinct act on its own. The violence meted out towards the victims was so proximate to the taking of their livestock that it must be deemed to have been a necessary component for the taking of the livestock. The act of taking the goats and sheep was so connected to the violence as to form one continuous transaction. Whether a transaction can be regarded as the same would necessarily depend upon the particular facts of each case. It is a difficult task to undertake a definition but it is generally thought that where there is proximity of time or place or unity of purpose and design or continuity of action in respect of a series of acts it may be possible to infer that they form part of the same transaction. It is, however, not necessary that every one of these elements should co-exist for a transaction to be regarded as the same. But if several acts committed by a person show a unity of purpose or design that would be a strong circumstance to indicate that those acts form part of the same transaction. Therefore, having considered the evidence as a whole and in agreement with the joint opinion of the assessors, I find that the prosecution has proved beyond reasonable doubt that during the theft of the items stated in each of the four counts from the victims, the assailants used and also threatened to use violence against the victims.

The prosecution is also required to prove that at the material time, the assailants were in possession of a deadly weapon. According to section 286 (3) of *The Penal Code Act*, a deadly weapon is one which is made or adapted for shooting, stabbing or cutting and any instrument

which, when used for offensive purposes, is likely to cause death. In this regard, P.W.2 Owothi Luigi testified that the assailants had bows, arrows and pangas. P.W.3 Awacango Paskwale testified that the assailants came with bows, arrows and slashers. Ogenmungu was hit with clubs on the waist. P.W.4 Stephano Ocamgiu testified that the assailants were armed with bows, arrows, pangas, sticks and other weapons. A4 pursued him and hit his left arm with a stick. A.4 threw a stone at him and it hit his arm, crushing his wrist watch. P.W.5 Ocamgiu Victor testified that A.4 was holding a stone, a slasher and a panga. P.W.6 (No. 41587 D/Sgt. Oyeki Silvano testified that he recovered some of the weapons abandoned at the scene. They included a bow, three arrows, one of which he himself pulled out of Ogenmungu's arm where it was still stuck. These were exhibited as exhibit P.Ex. 8.

In his defence, D.W.1 Alfred Athocon denied any involvement in the attack. D.W.2 Onyuthi Moses too denied any involvement in the attack. D.W.3 Odong Jenan said he was instead the victim of an attack by Degu and Kutho. He sustained a cut on the nose, inflicted with a panga. He was also assaulted with logs until he became unconscious. D.W.4 Ucor Bernard said he sustained a cut on the head and was taken to hospital. D.W.5 Wabedswa Dennis testified that the mob which attacked A.3 and A.4 carried pangas, arrows, slashers and other weapons. A.4 had a club in his hand. Counsel for the accused did not contest this in her final submissions. Having considered the evidence as a whole and in agreement with the joint opinion of the assessors, I find that the prosecution has proved beyond reasonable doubt that during the theft of the items stated in each of the four counts from the victims, the assailants had deadly weapons in their possession.

Lastly, the prosecution has the burden of proving that each of the accused participated in commission of the offence. The evidence implicating each of the accused must be considered separately. Each of the accused must be placed at the scene of the crime as an active participant in the commission of the four offences. This is in light of the fact that D.W.1 Alfred Athocon denied any involvement in the attack. He instead said he responded to an alarm only to find his son A.3 and Ocho on the ground bleeding. D.W.2 Onyuthi Moses too denied any involvement in the attack. He met A.1 with the goats on the way after the fight had ended and advised him to take them back. D.W.3 Odong Jenan too denied any involvement. He was instead the victim of an attack by Degu and Kutho. He sustained a cut on the nose, inflicted with a panga. He was also

assaulted with logs until he became unconscious. D.W.4 Ucor Bernard denied any involvement in the attack. He was attacked by people he found digging on his land who assaulted him. He sustained a cut on the head and was taken to hospital. In support of their defence, D.W.5 Wabedswa Dennis testified that he met Ocanda along the way who told him he was returning from a fight over land. He subsequently met A.4 who had injuries on the head and he rescued him from a crowd that had been digging in his garden, which was attacking him. The mob then turned onto A.3 and inflicted on him a cut on the nose and also beat him on the shoulder. The mob was carrying pangas, arrows, slashers and other weapons. A.4 had a club in his hand.

To counteract these defences, the prosecution relies on the testimony of P.W.2 Owothi Luigi who testified that it all started when A.4 met him in the garden and began insulting him. He was later joined by the rest of the accused. A.4 then led the group to the home of Stephano. He saw all the accused again at the home of Stephano. A.1 is the one who untied the goats and took them away. This is supported by P.W.3 Awacango Paskwale who testified that A.4 found him in the garden and threatened him. He was later joined by Ocanda and A.3. When he fled to his Uncle Charles Oryema's home, they followed him there and were joined by A.1 and A.2. He saw them beat up Stephano and assault Ogenmungu Godfrey. A.2 and A.4 untied the goats and it is A.2 who took them away. On his part, P.W.4 Stephano Ocamgiu testified that earlier in the day, A.1 had passed by his home hurling insults at them. He later in the afternoon saw Ocanda followed by A.2. Then A.4 with his son A.3 and A.1 joined them shortly. A.2 stopped Ocanda from shooting him. A.4 hit him on both hands. A.4 also hit him with a stone crushing his wrist while in the process. It is A.1, A.3 and A.4 he saw attempted to stop Otto from leaving on a motorcycle to alert the police. He saw A.1 cut A.3 in an attempt to cut P.W.5's neck. This is corroborated by P.W.5 Ocamgiu Victor who testified that he saw A.3 and A.4 attempt to stop Otto from leaving on a motorcycle to alert the police. A.3 knocked him down to the ground and in an attempt to cut him, A.1 instead cut A.3. He saw A.1 pick his money which had fallen on the ground during the scuffle. A.1 hit and killed one of the goats. A.2 stopped him from killing more goats and advised that instead they should carry them away. P.W.6 No. 41587 D/Sgt. Oyeki Silvano testified that he arrested A.2 and found the stolen goats at his home. It is him who named the rest of the accused who were then arrested as well.

Counsel for the accused contested their ability to have made proper identification during cross-examination of the prosecution witnesses and in her final submissions. To sustain a conviction, a court may rely on identification evidence given by an eye witness to the commission of an offence. However, it is necessary, especially where the identification is made under difficult conditions, to test such evidence with the greatest care, and be sure that it is free from the possibility of a mistake. To do so, the Court evaluates the evidence having regard to factors that are favourable, and those that are unfavourable, to correct identification.

In the instant case, all the identifying witnesses knew the accused persons before the attack as relatives with whom they lived on the same village. The attack took place during day time, having started at around 4.00 pm and continued up to around 5.00 pm. It therefore took place during broad day light and continued for about one hour. The witnesses saw the accused from distances favourable to correct identification. Although the attack occurred in chaotic circumstances, I am satisfied that the factors favouring correct identification of the accused far outweighed those unfavourable to correct identification. I am satisfied that the evidence of identification is free from the possibility of error or mistake. The alibis raised by the accused in their defences have been disproved by the prosecution evidence of identification. The prosecution has succeeded in placing each of the accused at the scene of crime as an active participant in the commission of the offences.

Under section 20 of *The Penal Code Act*, when two or more persons form a common intention to prosecute an unlawful purpose in conjunction with one another, and in the prosecution of that purpose an offence is committed of such a nature that its commission was a probable consequence of the prosecution of that purpose, each of them is deemed to have committed the offence. Therefore, where offences are alleged to have been committed by two or more people in the course of the same unlawful transaction, there is no need to prove that each of them participated in each of the offences if by their nature they were a probable consequence of the prosecution of that purpose. It is enough if they are proved to have shared a common intention.

In the instant case, the accused persons set out together to drive the victims from the disputed land. The eviction was to be effected through unlawful means of personal violence. That the criminal design could quickly descend into the plunder of property of the victims was a probable and foreseeable consequence of the prosecution of that purpose. I am therefore satisfied that the

prosecution has proved the case against each of the accused persona beyond reasonable doubt. In disagreement with the joint opinion of the assessors, the evidence has not established only the offence of affray but rather the more serious offence of Aggravated Robbery. For that reason I hereby find each of the accused persons guilty of the latter offence. Each of the accused is accordingly convicted of the offence of Aggravated Robbery c/s 285 and 286 (2) of *The Penal Code Act* as indicted in Count I, for the robbery of Ocamgiu Stephen's three goats; in count 2, for the robbery of Awachango Paskwale's of two goats; in count 3, for the robbery of Ogenmungu Godfrey's of one goat; and in count 4, for the robbery of Ocamgiu Victor's of shs. 250,000/=,

Dated at Arua this 2nd day of February, 2017.

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Stephen Mubiru
Judge.

10th February 2017

9.37 am

Attendance

Ms. Sharon Ngayiyo, Court Clerk.

Ms. Jamilar Faidha, State Attorney, for the prosecution.

Mr. Samuel Ondoma for the convicts on State Brief.

All the convicts are present in Court.

SENTENCE AND REASONS FOR SENTENCE

Upon the accused being convicted of the offence of Aggravated Robbery c/s 285 and 286 (2) of the *Penal Code Act*, in respect of all four counts, although he had no previous record of conviction against any of the three convicts the learned State Attorney prayed for deterrent sentences, on grounds that; the maximum penalty for each of the four offences is death, the offence is rampant in the region and there is need to deter other potential offenders. The victims of the offences lost valuable property. Some of them sustained injuries which inflicted a lot of pain and loss of time while nursing the wounds. He also prayed that the convict be ordered to compensate the victims, the value of the property stolen.

In response, each of the convicts in their respective *allocutus* prayed for lenience. They all are relatives of the victims of the offences and lived in harmony with them before this incident. During the fight, they too suffered serious injuries. They have been on remand since 10th May 2013. A1 is 45 years old, A2 is 36 years old, A3 is 33 years old and A4 is 66 years old. They all have learnt their lesson for the period they have been on remand and will never engage in such violence again but will rather be ambassadors of peaceful co-existence. They all prayed for lenience.

According to section 286 (2) of the *Penal Code Act*, the maximum penalty for the offence of Aggravated Robbery is death. However, this punishment is by sentencing convention reserved for the most extreme circumstances of perpetration of such an offence such as where it has lethal or other extremely grave consequences. Examples of such circumstances relevant to this case are provided by Regulation 20 of The *Constitution (Sentencing Guidelines for Courts of Judicature) (Practice) Directions, 2013* to include; the use and nature of weapon used, the degree of meticulous pre-meditation or planning, and the gratuitous degradation of the victim like multiple incidents of harm or injury or sexual abuse.

In *Ninsiima v Uganda Crim. Appeal No. 180 of 2010*, the Court of appeal opined that these guidelines have to be applied taking into account past precedents of Court, decisions where the facts have a resemblance to the case under trial. I have considered the fact that a deadly weapons were used, the offences involved some pre-meditation or planning, and serious injury was inflicted on some of the victims shot with arrows. These were grave and life threatening, in the sense that death was a very likely consequence of the convicts' actions. That notwithstanding, I have discounted the death sentence because the circumstances, although serious, are not in the category of the most extreme manner of perpetration of offences of this type.

The principle of proportionality operates to prohibit punishment that exceeds the seriousness of the offending behaviour for which the offender is being sentenced. It requires that the punishment must fit both the crime and the offender and operates as a restraint on excessive punishment as well as a prohibition against punishment that is too lenient. The principle of parsimony on the other hand requires that the court should select the least severe sentencing option available to achieve the purpose or purposes of sentencing for which the sentence is

imposed in the particular case before the court. I have not found any significant difference in blameworthiness between the two convicts.

When imposing a custodial sentence upon a person convicted of the offence of Aggravated Robbery c/s 285 and 286 (2) of the *Penal Code Act*, the *Constitution (Sentencing Guidelines for Courts of Judicature) (Practice) Directions, 2013* stipulate under Item 4 of Part I (under Sentencing ranges - Sentencing range in capital offences) of the Third Schedule, that the starting point should be 35 years' imprisonment, which can then be increased on basis of the aggravating factors of reduced on account of the relevant mitigating factors.

I have considered the fact that deadly weapons were used, the offence involved some level of pre-meditation or planning, and there was gratuitous degradation of some victims which included being shot with arrows. These circumstances are sufficiently grave to warrant a deterrent custodial sentence. It is for those reasons that I have considered a starting point of twenty five years' imprisonment.

The seriousness of this offence is mitigated by a number of factors; the fact that all the convicts are first offenders, they publicly expressed remorse in their respective *allocutus*, and most of the items stolen were recovered. I have considered sentences passed before in similar circumstances. For example in *Kusemererwa and Another v Uganda, C.A. Criminal Appeal No. 83 of 2010*, a sentence of 20 years' imprisonment was upheld in respect of convicts who had used guns during the commission of the offence, but had not hurt the victims. In *Naturinda Tamson v Uganda C.A. Criminal Appeal No. 13 of 2011*, a sentence of 16 years imprisonment was imposed on a 29 year old convict for a similar offence. I conclude that the mitigating circumstances in this case outweigh the aggravating factors. I consider a mildly deterrent sentence to be appropriate for each of the convicts. I for that reason deem a period of ten (10) years' imprisonment in respect of each count to be appropriate as the minimum sanction necessary to sufficiently punish the convicts without imposing an unnecessary burden on public resources.

It is mandatory under Article 23 (8) of the *Constitution of the Republic of Uganda, 1995* to take into account the period spent on remand while sentencing a convict. Regulation 15 (2) of *The*

Constitution (Sentencing Guidelines for Courts of Judicature) (Practice) Directions, 2013, is to the effect that the court should “deduct” the period spent on remand from the sentence considered appropriate, after all factors have been taken into account. This approach requires a mathematical deduction by way of set-off. From the earlier proposed term of twenty nine years’ imprisonment, arrived at after consideration of the mitigating factors in favour of the convicts, the convicts having been charged on 15th July 2013 and kept in custody since then, I hereby take into account and set off three years and seven months as the period the convicts have already spent on remand. I therefore sentence each of the four convicts; A1Athocon Alfred, A2 Onyuthi Moses, A3 Odongo Jenano and A4 Ocor Bernard respectively to a term of imprisonment of six (6) years and five (5) months, in respect of count 1; imprisonment of six (6) years and five (5) months, in respect of count 2; imprisonment of six (6) years and five (5) months, in respect of count 3; and imprisonment of six (6) years and five (5) months, in respect of count 4. The four sentences are to run concurrently and are to be served by each of the convicts respectively starting today.

It is mandatory under section 286 (4) of the Penal Code Act, where a person is convicted of Aggravated Robbery c/s 285 and 286 (2), unless the offender is sentenced to death, for the court to order the person convicted to pay such sum by way of compensation to any person to the prejudice of whom the robbery was committed, as in the opinion of the court is just having regard to the injury or loss suffered by such person. Although there was evidence that one of the goats was not recovered and another was killed, their value was not established in evidence. I am therefore unable to order any compensation in that regard. I was as well not provided with evidence on basis of which to order compensation for the injuries suffered by PW4, so I do not make any order of compensation in that regard. The evidence led during the trial sufficiently established that PW5 Ocamgiu Victor lost cash Shs. 250,000/= . Taken by A1 during the scuffle A.1 did not challenge this evidence and I do not have any reason to doubt the amount ststed as having been robbed. A1 Athocon Alfred is therefore ordered to compensate PW5 Ocamgiu Victor in the sum of shs. 250,000/= within three months from today, failure of which he is to serve an additional term of imprisonment of two years’ imprisonment.

The convicts are advised that they have a right of appeal against both conviction and sentence within a period of fourteen days.

Dated at Arua this 10th day of February, 2017.

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Stephen Mubiru
Judge.