

30 JUN 2004

THE REPUBLIC OF UGANDA
IN THE SUPREME COURT OF UGANDA
AT MENGO

CONSTITUTIONAL APPEAL NO. 3 OF 2003
(Arising from Constitutional Petition No. 5 of 2002)

ATTORNEY GENERALAPPELLANT

AND

1. PAUL KAWANGA SEMWOGERERE
2. KASSIANO WADRI EZATI
3. RICHARD SEBULIBA MUTUMBA
4. WINNIE BYANYIMA
5. SAM K. NJUBA
6. OKUMU RONALD REAGAN RESPONDENTS

NOTICE OF REFUSAL TO CONSENT TO THE WITHDRAWAL OF APPEAL
UNDER RULE 89 (4) THE SUPREME COURT RULES DIRECTIONS 1996

TAKE NOTICE that all the above respondents do not consent to the withdrawal of the appeal. Accordingly the appeal must stand dismissed with costs.

DATED AT KAMPALA this 30th day of June, 2004

Ballkuddembe & Co.,
COUNSEL FOR THE RESPONDENTS.

LODGED in the Registry of the Supreme Court, this 30th day of June, 2004.

Drawn & filed by:-

M/s. Balikuddembe & Co. Advocates, Mitchell Cotts Building, P. O. Box 5764,
KAMPALA.

Registrar, SUPREME COURT OF UGANDA.

INTERNAL MEMO

To: The Honourable The Chief Justice

To: The Honourable Justices of
the Supreme Court.

From: The Registrar, Supreme Court

Date: July 8, 2004

My Lords,

RE: CONSTITUTIONAL APPEAL NO.3 OF 2003

(Arising from Constitutional Petition No.5 of 2002)

ATTORNEY GENERAL ::::::::::::::::::::::::::::::::::: APPELLANT

AND

1. PAUL KAWANGA SEMWOGERERE }
2. KASSIANO WADRI EZATI }
3. RICHARD SEBULIBA MUTUMBA }
4. WINNIE BYANYIMA }

5. SAM K. NJUBA }
6. OKUMU RONALD REAGAN }.....RESPONDENTS

Herewith enclosed is a photostat copy of the Notice of Withdrawal of the above appeal under Rule 89(1) of the Supreme Court Rules.

I have enclosed a Notice of Refusal to consent to the withdrawal, filed by M/s Balikuddembe & Co. Advocates.

Rule 89(4) provides:-

"(4) If all the parties to the appeal do not consent to the withdrawal of the appeal, the appeal shall stand dismissed with costs, except as against any party who has consented, unless the Court on the application of the appellant, otherwise orders. "

I request to be advised whether your lordships will formally endorse on the court files the dismissal of the appeal with costs, or the Notice of Refusal to consent is enough as it is on record.

Yours faithfully,

W.M.MUSENE
REGISTRAR, SUPREME COURT.

Encl.

**THE REPUBLIC OF UGANDA
IN THE SUPREME COURT OF UGANDA
AT MENGO**

CONSTITUTIONAL APPEAL NO.3 OF 2003

21 JUN 2004

(ARISING FROM CONSTITUTIONAL PETITION NO.5 OF 2002)

ATTORNEY GENERAL APPELLANT

AND

- 1. PAUL KAWANGA SEMWOGEREREI**
- 2. KASSIANO WADRI EZATI**
- 3. RICHARD SEBULIBA MUTUMBA**
- 4. WINNIE BYANYIMA**
- 5. SAM K. NJUBA**
- 6. OKUMU RONALD REAGAN RESPONDENTS**

**NOTICE OF WITHDRAWAL OF APPEAL (Under R.89 (1)), The Supreme Court
Rules Directions, 1996**

TAKE, NOTICE that the Appellant has withdrawn this Appeal, this *day* of June 2004.
LODGED in the Registry of the Supreme Court, this 21st day of June 2004.

COUNSEL FOR THE APPELLANT

Attorney General's Chambers Plot 1 Parliament Avenue P.O. Box 7183 KAMPALA