

IN THE COURT OF APPEAL OF LESOTHO

In Sundry Matters Called on 22 January, 1990

Held at Maseru

Coram: Schutz. P.

Plewman, J.A. Ackermann,

J.A.

Schutz P.

ORDERS

The matters in which orders need to be made will now be dealt with, and the forms of orders in those cases are set out below.

1. (CRI) 1 of 1985 T. Lepeli v Rex

(a) The Director of Public Prosecutions is to report on whether the appellant wishes to proceed with his appeal.

(b) If he does the appellant is to bring a condonation application which will be set down together with the appeal.

(c) If the tapes for preparing a record are not available a record is to be prepared

/in accordance ...

in accordance with the principles set out in
Phasumane and Others v Rex F. of A. (CRI) 2 of 1985.

(d) The record is to be prepared by 11 May
1990.

(e) If the appellant is not able to afford
a record the Registrar is to waive the
prescribed fee provided for in C. of
A. Rule 3(10).

(f) If the appellant requires the services
of pro deo counsel, the Registrar to
appoint one.

(g) The Registrar is to determine by enquiry
of the appellant whether or not the relief
sought in (e) and (f) is required and is
to make the appropriate appointment by 15 May
1990.

2. (CRI) 1 OF 1986 Lesole Mashaile, Thabo Mosuoe
and Mosuoe Mosuoe v Rex

(a) If the tapes for preparing a record are not available
a record is to be prepared in accordance with the
principles set out in Phasumane and Others v Rex C.
of A. (CRI) 2 of 1985.

/(b) ...

(b) The Record is to be prepared by 11 May 1990.

(c) If the appellant is not able to afford a record the Registrar is to waive the prescribed fee provided for in C. of A. 3(10).

(d) If the appellant required the services of pro deo counsel, the Registrar is to appoint one.

(e) The Registrar is to determine by enquiry of the appellant whether or not the relief sought in 2(c) and (d) is required and is to make the appropriate appointment by 15 May 1990.

3. (CRI) 2 of 1986 Motlomelo Makoe v Rex

(a) If the tapes for preparing a record are not available a record is to be prepared in accordance with the principles set out in Phasumane and Others v Rex C. of A. (CRI) 2 of 1985.

(b) The record is to be prepared by 11 May 1990.

(c) If the appellant is not able to afford
/a record ...

a record the Registrar is to waive the prescribed fee provided for in C. of A. Rule 3(10).

(d) If the appellant requires the services of pro deo counsel, the Registrar is to appoint one.

(e) The Registrar is to determine by enquiry of the appellant whether or not the relief sought in (c) and (d) is required and to make the appropriate appointment by 15 May 1990.

4. (CRI) 5 of 1986 M. Mabope, Makhetha, Mojalefa Mpotu and Sempe Tau v Rex

(a) The four appellants are to be supplied with records for which they have already paid.

(b) The record is to be prepared by 11 May 1990.

5. (CRI) 1 of 1987 Matlaselo Molapo v Rex

(a) The record is to be prepared by 11 May 1990.

/If the ...

(b) If the appellant is not able to afford a record the Registrar is to waive the prescribed fee provided for in C. of A. Rule 3(10).

6. (CRI) 3 of 1988 D,P.P. v Lesesa Lethunya

(a) If the tapes for preparing a record are not available a record is to be prepared in accordance with the principles set out in Phasumane and Others v Rex C. of A. (CRI) 2 of 1985.

(b) If the appellant is not able to afford a record the Registrar is to waive the prescribed fee provided for in C. of A. Rule 3(10).

(c) The Registrar is to report on the state of the record on 15 May 1990 unless it has been prepared by then.

9. (CRI) 9 of 1988 Reentseng Bereng and Another v Rex

(a) If the tapes for preparing a record are not available a record is to be prepared in accordance with the principles set out in Phasumane and Others v Rex C. of A. (CRI) 2 of 1985.

/(b) If the ...

(b) If the appellant is not able to afford a record the Registrar is to waive the prescribed fee provided for in C. of A. Rule 3(10).

(c) The Registrar is to report on the state of the record on 15 May 1990 unless it has been prepared by then.

10. General

The date of the next session, and the names of the cases to be set down at it will be decided by the President.

Signed.....
W. P. Schutz
PRESIDENT

I agree Signed:
C. Plewman
JUDGE OF APPEAL

I agree Signed:
L. W. H. Ackermann
JUDGE OF APPEAL

Delivered at MASERU this day of January, 1990.

For the Crown : Mr. S. Mdhluli

For appellants, or respondents

In D.P.P. appeals : Multiple as also persons
in person.