

IN THE COURT OF APPEAL OF ZAMBIA

HOLDEN AT NDOLA ON 22ND FEBRUARY, 2023 AT 09:00 HOURS

(APPELLATE JURISDICTION)

- 1) The Hon. Mr. Justice C.F.R. Mchenga, Deputy Judge-President
- 2) The Hon. Mr. Justice J. Chashi
- 3) The Hon. Mr. Justice M.M. Kondolo
- 4) The Hon. Mrs. Justice C.K. Makungu
- 5) The Hon. Mrs. Justice F.M. Chishimba
- 6) The Hon. Mr. Justice D.L.Y. Sichinga
- 7) The Hon. Madam. Justice B.M. Majula
- 8) The Hon. Mrs. Justice P.C.M. Ngulube
- 9) The Hon. Mr. Justice M.J. Siavwapa
- 10) The Hon. Mrs. Justice A.M. Banda-Bobo
- 11) The Hon. Mrs. Justice N.A. Sharpe-Phiri
- 12) The Hon. Mr. Justice K. Muzenga



CRIMINAL CAUSELIST

NEW CRIMINAL APPEALS BEFORE JUDGES TO BE NAMED LATER

1. **APPEAL NO. 105/2022**

Kakinga Njombi

Vs

Kitwe High Court

Original Jurisdiction

17th November, 2019

The People

UNLAWFUL POSSESSION OF
GOVERNMENT TROPHY OF A
PROTECTED ANIMAL C/S 130 (1)
of the Zambia Wild Life Act No. 14 of
2015
Sentenced to 5 years IHL
WEF 20th August, 2021
Appeal against conviction

2. **APPEAL NO. 106/2022**

Moses Phiri

Ndola High Court
Original Jurisdiction
25th November, 2019

Vs

DEFILEMENT OF A CHILD C/S 138(1) of
Cap 87 of the Laws of Zambia

The People

Sentenced to 30 years IHL
WEF 19th November, 2019
Appeal against conviction and sentence

3. **APPEAL NO. 107/2022**

Eugene Miyambo

Ndola High Court
Original Jurisdiction,
7th October, 2020

Vs

RAPE C/S 132 and 133 Cap 87 of the
Laws of the Zambia

The People

Sentenced to 15 years IHL
WEF 21st September, 2019
Appeal against Sentence and conviction

4. **APPEAL NO. 108/2022**

Mwape Chalwe

Vs

The People

Ndola High Court

Original Jurisdiction

12th April, 2019

Count 1: RAPE C/S 132 Cap 87

Count 2: UNLAWFUL WOUNDING C/S
232(a)

Count 3: UNLAWFUL WOUNDING C/S
232(a) Cap 87 of the Laws of
Zambia

Sentenced to Count 1: 18 years IHL

Count 2: 3 years IHL

Count 3: 3 years IHL

WEF 10th April, 2019 to run
concurrently.

Appeal against conviction and sentence

5. **APPEAL NO. 109/2022**

Brigadier John Tampwa

Vs

The People

Ndola High Court

Original Jurisdiction

1st November, 2021

MURDER C/S 200 of the Penal

Code Cap 87 of the Laws of Zambia

Sentenced to death

Appeal against conviction and sentence

ADJOURNED MATTER -22ND FEBRUARY, 2023 SESSION

1. **APPEAL NO. 86, 87/2022**

Gustave Musonda
Solomon Musonda

Chinsali High Court
Original Jurisdiction
20th October, 2021

Vs

A1: MURDER C/S 200 of the
Penal Code Cap 87 of the Laws of
Zambia
Sentenced to death
Appeal against conviction and
sentence

The People

A2: Grievous Bodily Harm C/S 229 of
the Penal Code, Cap 87 of the
Laws of Zambia
4 years IWL WEF 21st March
2021.

CORAM: DJP, BMM, KM



**LEONARD TEMBO
CLERK OF SESSION**



LAWYERS

- Legal Aid Board - Lusaka, Ndola, Chipata, Solwezi and Livingstone.
- National Prosecution Authority - Lusaka, Ndola, Chipata, Solwezi and Livingstone.
- Zambia Correctional Facility - Lusaka, Ndola, Chipata, Solwezi and Livingstone.