

IN THE COURT OF APPEAL FOR ZAMBIA

HOLDEN AT NDOLA ON 13TH AUGUST, 2024 AT 09:00 HOURS

(CRIMINAL JURISDICTION)

- 1) The Hon. Mr. Justice M.J. Siavwapa – **Judge President**
- 2) The Hon. Mr. Justice C.F.R Mchenga -**Deputy Judge President**
- 3) The Hon. Mr. Justice J. Chashi
- 4) The Hon. Mr. Justice M.M. Kondolo SC
- 5) The Hon. Mrs. Justice C.K. Makungu
- 6) The Hon. Mrs. Justice F.M. Chishimba
- 7) The Hon. Mr. Justice D.L.Y. Sichinga SC
- 8) The Hon. Madam Justice B.M. Majula
- 9) The Hon. Mrs. Justice P.C.M. Ngulube
- 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
- 13) The Hon. Mrs. Justice A.N. Patel SC
- 14) The Hon. Madam Justice Y. Chembe



CRIMINAL CAUSELIST

NEW CRIMINAL APPEALS BEFORE JUDGES TO BE NAMED LATER

1. **APPEAL NO. 91/2023**

Kenny Figo

Vs

The People

Kabwe High Court

Original Jurisdiction

7th September, 2020

**Count 1-2 MURDER C/S 200 Cap 87 of
the Laws of Zambia.**

Count 3 AGGRAVATED ROBBERY C/S
294 (1) Cap 87 of the Laws of Zambia
Sentenced to death
Appeal against conviction & sentence

2. **APPEAL NO. 92/2023**

Patrick Daka

Vs

The People

Kabwe High Court
Original Jurisdiction
18th January, 2023

INDECENT ASSAULT ON FEMALE C/S
137(1) Cap 87 of the Laws of Zambia.
as amended by Act No. 15 of 2005
Sentenced to 15 years IHL with effect
from 03/01/2005
Appeal against conviction and sentence

3. **APPEAL NO. 93/2023**

Stanley Bwalya Mwansa

Vs

The People

Kabwe High Court
Original Jurisdiction
20th June, 2022

UNAUTHORIZED POSSESSION OF A
DEFENCE FORCE UNIFORM C/S 6 (1)
(a) of the security act Cap 111 of the
Laws of Zambia.
Sentenced to 15 years IHL WEF 20th
April, 2022.
Appeal against conviction and sentence

4. **APPEAL NO. 94/2023**

Ackson Mwale

Vs

The People

Kabwe High Court

Original Jurisdiction

12th December, 2019

Count 1 INDECENT ASSAULT ON A WOMAN C/S 137 as amended by Act Number 15 of 2005 Cap 87 of the Laws of Zambia.

Count 2 THEFT FROM PERSON C/S 276 Cap 87 of the Laws of Zambia

Count 2 Sentenced to 12 months and count 1 15 years IHL WEF 9th July, 2021

Appeal against conviction and sentence

5. **APPEAL NO. 95/2023**

Mwila Muselepete

Vs

The People

Kabwe High Court

Original Jurisdiction

3rd October, 2022

CAUSING DEATH BY DANGEROUS DRIVING C/S 161 (1) of the Road Traffic Act No. 11 of 2002 of the Laws of Zambia.

Sentenced to 6 months simple

Imprisonment and his driver's licence suspended for a period of 12 months.

Appeal against conviction & sentence

6. **APPEAL NO. 96/2023**

Zifa Chirwa

Vs

The People

Chipata High Court

Original Jurisdiction

27th May, 2022

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

Sentenced to 35 years IHL WEF 13th May, 2022

Appeal against conviction and sentence

7. **APPEAL NO. 97/2023**

John Banda

Chipata High Court
Original Jurisdiction
30th December, 2021

Vs

MURDER C/S 200 Cap 87 of the Laws
of Zambia.

The People

Sentenced to life imprisonment

Appeal against conviction and sentence

8. **APPEAL NO. 98/2023**

Mathias Yowani

Chipata High Court
Original Jurisdiction
14th April, 2022

Vs

DEFILEMENT OF A CHILD C/S 138 (1)
Cap 87 of the Laws of Zambia as read
with Act No. 15 of 2005 and Act No 2 of
2011 of the Laws of Zambia.

The People

Sentenced to 25 years IHL WEF 8th
October, 2021

Appeal against conviction and sentence

9. **APPEAL NO. 102, 103, 104/2023**

Mashati Chola
Samson Phiri
Borniface Mwaba

Ndola High Court
Original Jurisdiction
12th December, 2019

Vs

Count 1 AGGRAVATED ROBBERY

The People

C/S 294 (1) Cap 87 of the Laws of
Zambia.

Count 2 AGGRAVATED ROBBERY C/S
294 (1) Cap 87 of the Laws of Zambia
Sentenced to 20 years IHL WEF 9th May,
2022

Appeal against conviction and sentence

10. **APPEAL NO. 105, 106/2023**

Simon Mwanza
Gino Morelli
Vs

The People

Ndola High Court

Original Jurisdiction

30th September, 2019

Count 1 FORGERY C/S 347 Cap 87 of
the Laws of Zambia.

Count 2 UTTERING A FALSE
DOCUMENT C/S 352 Cap 87 of the
Laws of Zambia

Count 3 CONSPIRING TO DEFRAUD
C/S 313 Cap 87 of the Laws of Zambia.
Sentenced to

Appeal against conviction and sentence

11. **APPEAL NO. 107/2023**

The People
Vs

Maxilildah Mwenshi
Keagan Kalumba
Mubanga Chileshe
Francis Lemmy Chishiku

Ndola High Court

Original Jurisdiction

3rd March, 2020

Aggravated Robbery C/S 294 (1)

Cap 87 of the Laws of Zambia

Appealing against acquittal

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CAROLINE NAMAKANDO
CLERK OF SESSION

LAWYERS

1. APPEAL 91/2023

Appellant

Legal Aid Board

Respondent

National Prosecution Authority

2. APPEAL 92/2023

Appellant

Legal Aid Board

Respondent

National Prosecution Authority

3. APPEAL 93/2023

Appellant

Legal Aid Board

Respondent

National Prosecution Authority

4. APPEAL 94/2023

Appellant

Legal Aid Board

Respondent

National Prosecution Authority

5. APPEAL 95/2023

Appellant

Legal Aid Board

Respondent

National Prosecution Authority

6. APPEAL 96/2023

Appellant

Legal Aid Board

Respondent

National Prosecution Authority

7. APPEAL 97/2023

Appellant

Legal Aid Board

Respondent

National Prosecution Authority

8. APPEAL 98/2023

Appellant

Legal Aid Board

Respondent

National Prosecution Authority

9. APPEAL 102,103,104/2023

Appellant

Legal Aid Board

Respondent

National Prosecution Authority

10. Appeal 105, 106/2023

Appellant

- V.K Muwa & Company
- Messrs John Kayuni and Partners

Plot 16, Independence way

P.O. Box 71695

Ndola

Mobile: 0975-127628/0973822312

Respondent

National Prosecution Authority

11. APPEAL 107/2023

Appellant

Legal Aid Board

Respondent

National Prosecution Authority