

IN THE COURT OF APPEAL OF ZAMBIA

HOLDEN AT NDOLA ON 20TH NOVEMBER, 2018 AT 09:00 HOURS

(Appellate Jurisdiction)

The Hon. Mrs. Justice F. M. Chisanga – Judge President

The Hon. Mr. Justice C. F. R. Mchenga – Deputy Judge President

The Hon. Mrs. Justice C. K. Makungu

The Hon. Mr. Justice J. Chashi

The Hon. Mrs. Justice F. M. Chishimba

The Hon. Mrs. Justice J. Z. Mulongoti

The Hon. Mr. Justice D. L. Y. Sichinga

The Hon. Mr. Justice M. M. Kondolo

The Hon. Madam Justice F. M. Lengalenga

The Hon. Mr. Justice M. J. Siawwapa

The Hon. Mrs. Justice P. C. M. Ngulube

The Hon. Madam Justice B. M. Majula



CRIMINAL CAUSE LIST

NEW CRIMINAL APPEALS BEFORE JUDGES TO BE NAMED LATER

- (1) APPEAL NO. 97/2018:
Comrade Chanka mazuba
Livingstone High Court Original
Jurisdiction. 01, June, 2018
Defilement C/s 138(1) CAP 87.
20 Years IHL.
Appeal against sentence and
conviction.
- (2) APPEAL NO. 98/2018:
Griffin Mwila
Livingstone High Court Original
Jurisdiction. 4, May, 2018
Rape C/s 132 CAP 87.
30 Years IHL.
Appeal against sentence and
conviction.
- (3) APPEAL NO. 99/2018:
Felody Ng'andu
Livingstone High Court
Original Jurisdiction.
18th June, 2018
Defilement of an imbecile
C/s 139 Cap 87.
25 Years IHL.
Appeal against sentence and
conviction.
- (4) APPEAL NO. 100/2018:
Chilaki Mwiinde
Livingstone High Court Original
Jurisdiction. 28th may, 2018
Defilement C/s 138(1) Cap 87.
18 Years IHL.
Appeal against sentence and
conviction.

- (5) APPEALS NO. 101, 102,103,104,105 106/2018: Kitwe High Court Original
Jurisdiction. 22 January, 2018
Loveness Nyambe Arson C/s 328 Cap 87 And
Priscar Nyambe Malicious Damage to Property C/s
Esther Tembo 335(1) Cap 87.
Pamela Nyambe 10 years Simple Imprisonment.
Osiya Chindala Appeal against conviction and
Billings Nyambe sentence.
- (6) APPEAL NO. 107/2018 Lusaka High Court Original
Milner Mulenga Jurisdiction.2nd June, 2017.
Murder C/s 138(1) CAP 87.
DEATH.
Appeal against conviction and
sentence.
- (7) APPEAL No. 108/2018: Lusaka High Court Original
Samson Banda Jurisdiction. 30th October, 2017
Defilement C/s 138(1) CAP 87.
15 Years IHL.
Appeal against conviction and
sentence.

- (8) APPEAL NO. 109/2018:
Richard Sinkonde
Lusaka High Court Original
Jurisdiction. 6th September, 2017
Forgery C/S 347 CAP 87
2 Years IHL.
Appeal against conviction.
- (9) APPEAL NO. 110,111/2018:
Zondani Mtonga
Nchimunya Ng'andu
Lusaka High Court Original
Jurisdiction. 26th April, 2018.
Murder C/s 200 Cap 87 and
Burglary and Theft C/s 301(B) and
272 CAP 87. Death.
Appeal against conviction and
sentence.
- (10) APPEAL NO. 112/2018:
Veronica Tembo
Chipata High Court Original
Jurisdiction. 25th April 2018
Murder C/s 200 CAP 87. Death.
Appeal against conviction and
sentence.
- (11) APPEAL NO. 113/2018:
Lemekani Miti
Chipata High Court Original
Jurisdiction. 6th December, 2016
Defilement C/s 138(1) CAP 87.
30 Years IHL.
Appeal against conviction and
sentence.

(12) APPEAL NO. 114/2018: Chipata High Court Original
Aswell Banda Jurisdiction. 18th April, 2018
Indecent Assault C/s 137(1) of
Amendment Act No. 15 of 2005
CAP 87.
15 Years IHL.
Appeal against conviction and
sentence.

ADJOURNED MATTERS FROM MAY, JUNE, AUGUST, SEPTEMBER TO
NOVEMBER 2018

(13) APPEAL NO. 66/ 2018 Lusaka High Court Original Jurisdiction
The people 19th January 2018
And Defilement C/s 138(1) Cap 87 25 years IHL
Goodson Mulenga Appeal against acquittal

Before :JP, CKM, MMK

Matter for hearing

(14) APPEAL NO. 49, 50/ 2018 Lusaka High Court Original Jurisdiction
Boyd Mwape Kawanda 28th July 2017.
Munengu Siamuchila Robbery C/s 292 Cap 87, DEATH
Appeal against conviction & sentence

Before: JP, CKM, MMK

Matter for Hearing

(15) APPEAL No 60/2018

Alex mwewa

Lusaka high court Original Jurisdiction

22nd January, 2018

Robbery C/s 294 (1) Cap 87, 18 years IHL

Appeal against conviction and sentence

Before: JP, CKM, MMK.

Matters for judgment

(16) APPEAL NO. 81, /2018

Isaac Musadabwe

Lusaka High Court original

jurisdiction 16th February, 2018

DEFILEMENT C/S 138 (I) CAP 87,

15 YEARS. Appeals against

conviction and Sentence

Before JZM, DLYS, PCMN

Matter for hearing

(17) APPEAL NO. 82/2018

Mwiimbu Mungalo

Lusaka High Court original
jurisdiction 15th December, 2017
DEFILEMENT C/S 138 (I) CAP 87,
15 YEARS. Appeals against
conviction and sentence

Before JZM, DLYS, PCMN

Matter for hearing

(18) APPEAL NO. 83/2018

The People

Vs

Brenda Tembo Mukalula

Lusaka High Court original
jurisdiction 3rd May, 2018
ASSAULT ON A CHILD C/S 248(a)
CAP 87 Acquitted. Appeal
against acquittal.

Before JC, FML, MJS

Matter for hearing.

(18) APPEAL NO. 92, 93, 94, 95/2018

Joe Muleya

Justin Kavwema

Francis Sikombe

Eunice Mwaala

Livingstone High Court original

jurisdiction 12th June, 2018

ARSON C/S 328 a CAP 87,

10 years IHL. Appeals against

conviction and sentence

Before: JC, FML, MJS

Matter for judgement

(19) APPEAL No 9/2018

James sikapende

Kasama High Court Original Jurisdiction

25th April, 2017. Unlawful possession

of biological resources C/s 120 (b) Act

12 of 2011. appeal against conviction

and sentence

Before: **JP, CKM, MMK**

Matter for judgment

(20) APPEAL No 72/2018

Ben chisi

Lusaka high court Original Jurisdiction

15th December, 2016

Indecent assault on females C/s 137 (1)

of the Amendment Act No 15 of 2005

Cap 87.15 years IHL appeal against

conviction and sentence

Before **JP, CKM, MMK**

Matter for judgment

(21) APPEAL No 59/2018

Malangisha kapwepwe

Ndola High Court Original Jurisdiction

31st January 2018.

Murder C/s 200 Cap 87 DEATH
against conviction and sentence

Before **JP, CKM, MMK**

Matter for judgment

(22) Appeal 38/2018

Amid Phiri

Chipata High Court Original Jurisdiction

9th April, 2017

Murder C/s 200, Cap 87 DEATH
against conviction and sentence

Before **JP, CKM, MMK**

Matter for judgment

(23) Appeal No. 58/ 2018

Angel Mulenga

Ndola High Court Original jurisdiction

24th April, 2017

Four counts of forgery C/s 347 & 352
cap 87 Appeal against an order for
retrial

Before JZM, DLYS, PCMN

Matter for Judgement

(24) APPEAL NO. 61, 62, 63/2018

Samuel Chitundu

David michelo

Felix musonda

Kitwe High Court Original

jurisdiction, 19th January 2018

robbery C/s 194 (1) Cap 87. Death

Appeal against conviction & sentence

Before: JZM, DLYS, PCMN

Matter for Judgement.

(25) APPEAL NO. 73/2018

Kenneth Masheka

Livingstone High Court Original

Jurisdiction 15th march 2018

Defilement C/s 138(1) cap 87

25 years IHL Appeal against

Conviction and sentence

Before: JC, FML, MJS

Matter for judgement

(26) APPEAL No 22/2018

Richard Bwalya

Ndola High Court Original Jurisdiction

25th July 2018.

Murder C/s 200 Cap 87 DEATH
against conviction and sentence

Before **JP, CKM, MMK**

Matter for judgment



CLEMENT LUBASI
Clerk of session

LAWYERS

The Director Public Prosecutions – Lusaka, Livingstone, Kabwe, Ndola, Kitwe.

The Director Legal Aid Board –Lusaka. Livingstone, Kabwe, Ndola, Kitwe.
Prisons.

The Superintendent of Prisons – Lusaka, Livingstone, Kabwe, Ndola, Kitwe.

Appeal No. 101, 102, 103,104, 105,106/ 2018 – Muya & Company – Ndola.

Appeal NO. 108/2018- LM chambers.

Appeal No. 109/2018 – MSK Advocates, Ganje Mhango & Company – Lusaka.

APPEAL NO. 61, 62, 63/2018 Ellis & Company- Kitwe

Appeal No. 92, 93, 94, 95, 2018 - Batoka Chambers Lusaka

Appeal No. 83/2018 - Shamwana & Company Lusaka

Appeal No. 82/2018 – LM Chambers Lusaka

Appeal No. 81/2018 –Mulungushi Chambers Lusaka

appeal No 58/2018- GM legal practioners Kitwe