



*Case Summary  
Suai District Court*

Edition: July 2013

**Summary of the trial process at the Suai District Court  
First and second weeks of July 2013**

Introduction

During the first and second weeks of July 2013 JSMP observed 20 cases at the Suai District Court (SDC).

These cases comprised 1 case of sexual acts with an adolescent, 2 cases of aggravated theft, 4 cases of domestic violence, 1 case of minor theft, 5 cases of simple offences against physical integrity, 3 cases of rape, 1 case of sexual coercion, 1 case of embezzlement, 1 case of making threats and 1 one case of maltreatment of a spouse.

The information below outlines the hearings conducted:

**1. Crime of sexual acts with an adolescent-Case No. 135/pen/2013/TDS.**

Composition of judges : Single  
Judge : Costâncio Barros Basmery  
Public Prosecutor : Benvinda da Costa Rosario  
Public Defender : João Henrique de Carvalho  
Conclusion : Sentenced to 3 months imprisonment, suspended for 5 years.

On 04 July 2013 the Suai District Court conducted a trial in a case involving sexual acts with an adolescent involving the defendant LX and the victim MB. This case allegedly occurred on 4 May 2012 in Covalima District.

The public prosecutor alleged that on 04 May 2012 at approximately 8pm the defendant came to the home of the victim and had sexual intercourse twice.

Before the court, the defendant testified that they had sexual intercourse because they were a couple and they both consented to the intercourse. The defendant also testified

that they were a couple but he heard that the victim was involved with another man. Therefore, the defendant avoided the victim. The defendant also testified that he had paid compensation of \$ 300 to the victim.

The public prosecutor charged the defendant for violating Article 178 of the Penal Code on sexual acts with an adolescent which carries a penalty of 5 years imprisonment.

In her final recommendations the Public Prosecutor fully entrusted the court to decide the matter, and the public defender requested for the court to hand down a suspended sentence against the defendant.

Based on the facts revealed during the trial the court concluded this case and sentenced the defendant to three years in prison, however the sentence was suspended for 5 years.

## **2. Crime of simple offences against physical integrity, Case No. 132/Pen/2013/TDS**

Composition of judges	: Single
Judge	: Costâncio Barros Basmery
Public Prosecutor	: Felismino Garcia Cardoso
Public Defender	: João Henrique de Carvalho
Conclusion	: Acquitted

On 05 July 2013 the Suai District Court conducted a trial in a case involving simple offences against physical integrity involving the defendant FM and the victim ADJ. This case allegedly occurred on 08 March 2013 in, Covalima District.

The public prosecutor alleged that on 08 March 2013 at approximately 10am the defendant used a piece of wood to strike the victim on the hand and left side of the chest and the victim suffered bruising and swelling.

In relation to these acts the public prosecutor charged the defendant for violating Article 145 of the Penal Code regarding simple offences against physical integrity.

The defendant testified to the court that after the incident they reconciled and have had no further problems. The defendant also testified that he regretted his actions.

In his final recommendations the public prosecutor requested for the court to sentence the defendant to pay compensation of US\$ 50 to the victim, for committing simple offences against the victim's physical integrity. The public defender agreed with the recommendation of the public prosecutor.

After examining the facts in this case and the final recommendations of the parties, including the mitigating circumstances, the court concluded the matter and decided to acquit the defendant from all charges.

### **3. Crime of making threats, Case No. 78/pen/2013/TDS**

Composition of judges : Single  
Judge : Pedro Raposo de Figueiredo  
Public Prosecutor : Felismino Garcia Cardoso  
Public Defender : MarcalMascharenhas  
Conclusion : Acquitted

On 15 July 2013 the Suai District Court read out its decision in a case of making threats involving the defendant JC and the victim AC. This case allegedly occurred on 24 January 2013 in Covalima District.

The public prosecutor alleged that on 24 January 2013 at approximately 3pm the defendant went to his plantation and saw a person cutting his sandalwood and putting it in his plantation.

The defendant testified that he did not have a plan to take and sell the sandalwood. However because the sandalwood had already been cut up he took it to his house.

At that time the victim saw this happening and told the police that the defendant intended to steal the sandalwood that the defendant was taking to his house. Therefore the defendant became angry and threatened the victim.

In relation to these acts the public prosecutor charged the defendant for violating Article 157 of the Penal Code on making threats that carries a prison sentence of 2 years or a fine.

In his final recommendations the public prosecutor requested for the court to sentence the defendant to a fine. On the other hand the public defender requested for the court to acquit the defendant because the charges presented to the court had not been proven.

After hearing the final recommendations of the parties the court settled the matter and decided to acquit the defendant from all charges.

### **4. Crime of simple offences against physical integrity, Case No. 137/pen/2013/TDS**

Composition of judges : Single  
Judge : Costâncio B. Basmery

Public Prosecutor : Felismino Garcia Cardoso  
Public Defender : João Henrique de Carvalho  
Conclusion : Acquitted

On 08 July 2013 the Suai District Court conducted a trial in a case involving simple offences against physical integrity involving the defendant NM and the victim GG. This case allegedly occurred on 05 May 2013 in Covalima District.

The public prosecutor alleged that on 05 May 2013 at approximately 11:45am the defendant used a shard of glass from a bottle to stab the victim in the head causing the victim to suffer an injury and bleeding.

The public prosecutor charged the defendant for violating Article 145 of the Penal Code regarding simple offences against physical integrity. Before the court the defendant testified that after the incident they reconciled and have had no further problems. The defendant also expressed regret for his actions against the victim.

In his final recommendations the public prosecutor requested for the court to order the defendant to pay compensation of US\$ 75 to the victim for committing the crime of which he was charged.

The public defender agreed with the recommendation of the public prosecutor. However, the court decided to acquit the defendant in this case.

#### **5. Crime of simple offences against physical integrity, characterized as Domestic Violence, Case No. 121/pen /2013/TDS**

Composition of judges : Single  
Judge : Costâncio Barros Basmery  
Public Prosecutor : Benvinda da Costa Rosario  
Public Defender : João Henrique de Carvalho  
Conclusion : Ongoing

On 17 July 2013 the Suai District Court conducted a trial in a case of domestic violence involving the defendant LdS and the victim ASS (his wife). This case allegedly occurred on 21 October 2011 in Covalima District.

The public prosecutor alleged that on 21 October 2011 at approximately 11:00am the defendant struck the victim on the back and cheek. In addition, the defendant also threw the victim on the ground and injured her foot and arm.

The victim testified to the court that this case occurred because the defendant married another woman and the victim did not agree, so the defendant became angry and attacked the victim.

The public prosecutor charged the defendant for violating Article 145 of the Penal Code on simple offences against physical integrity in conjunction with Article 35 (b) of the Law Against Domestic Violence.

In his final recommendations the public prosecutor requested for the court to order the defendant to pay a fine of US\$ 150 to be paid in daily installments of 50 cents for 300 days. The public defender requested for the court to reduce the fine from 300 days to 30 days.

After hearing the recommendations of the parties the court decided to continue this case on 31 July 2013 at 10am to announce its decision.

## **6. Crime of aggravated theft, Case No. 133 /pen/2013/TDS**

Composition of judges : Panel  
Judges : Pedro Raposo de Figueiredo, Costâncio B. Basmery and Hugo da Cruz Pui.  
Public Prosecutor : Benvinda da Costa Rosario  
Public Defender : MarcalMascrenhas  
Conclusion : Sentenced to 3 years imprisonment, suspended for 5 years and ordered to pay compensation to the victim.

On 11 July 2013 the Suai District Court conducted a trial in a case involving aggravated theft allegedly committed by the defendants JI and VB against the victim MDR. This case allegedly occurred on 26 April 2013 in Covalima District.

The public prosecutor alleged that on 26 April 2013 at approximately 11:00am the two defendants went together with the intention of stealing the victim's buffalo. However on the way the defendant VB decided to return because he was afraid and the defendant JI continued on and chased several buffaloes/cows into his plantation to be captured and sold to someone else.

The public prosecutor charged the defendant for violating Article 252 of the Penal Code on aggravated theft which carries a punishment of 2-8 years imprisonment.

The defendant testified that he did in fact steal and sell the buffalo to another person.

In his final recommendations the public prosecutor requested for the court to sentence the defendant JI to 4 year's imprisonment, to be suspended for 5 years, as well as pay compensation to the victim.

The court concluded this case and sentenced the defendant JI to a prison sentence of 3 years, suspended for five years. The court also ordered the defendant to pay compensation of US\$ 1,600 to the victim for 6 months and acquitted the defendant VB from all charges.

### **7. Crime of rape, Case No. 12 /pen/2013/TDS**

Composition of judges : Panel  
Judge : Costâncio B. Basmery, Pedro Raposo de Figueiredo and Hugo da Cruz Pui  
Public Prosecutor : Jacinto Babo Soares  
Public Defender : MarcalMascrenhas  
Conclusion : Sentenced to 6 years imprisonment and ordered to pay compensation to the victim

On 12 July 2013 the Suai District Court read out its decision in a case of rape. This case involved the defendant AT and the victim VDS, and allegedly occurred on 26 September 2012, in Bobonaro District.

The public prosecutor alleged that on 26 September 2012, at approximately midnight the defendant came to the victim's house to turn off the electricity and the defendant saw the victim sleeping soundly.

When the electricity went out the victim felt afraid and woke up, however the defendant approached the victim and hit the victim in the neck twice and the victim fell down and could not get back up. At that time the defendant took advantage of the situation to rape the victim.

The victim testified in court that she was very traumatized and felt extremely embarrassed and did not feel comfortable staying in her home. Therefore, the victim went and stayed at a Safe House in Maliana for 2 days.

The public prosecutor charged the defendant for violating Article 172 on rape which carries a penalty of 5 - 15 years imprisonment.

The public defender requested for the court to hand down a lenient punishment against the defendant because the defendant admitted all of the facts alleged against him.

Pursuant to these facts the court then decided the matter and sentenced the defendant to 6 years imprisonment and ordered him to pay compensation to the victim of US\$ 600.

## **8. Crime of maltreatment of a spouse, Case No. 95/pen/2012/TDS**

Composition of judges : Panel  
Judges : Pedro Raposo de Figueireido, Hugo da Cruz Pui, Costâncio Barros Basmery.  
Public Prosecutor : Benvinda da Costa Rosario  
Public Defender : João Henrique de Carvalho  
Conclusion : Ordered to pay a fine of US\$ 96, or failure to pay the fine will mean that the defendant will have to serve 80 days in prison.

On 12 July 2013 the Suai District Court read out its decision in a case of maltreatment of a spouse involving the defendant HB who allegedly committed the offence against his wife. This case allegedly occurred on 06 January 2012 in Bobonaro District.

The public prosecutor alleged that on 06 January 2012 at approximately 09:00am the defendant and the victim argued about money relating to the collection/delivering of sand.

The victim alleged that the defendant had delivered and unloaded the sand on the side of the road however the defendant denied that he was the one who delivered and unloaded the sand. However, the victim did not believe him so the defendant became angry and took a biscuit tin and threw it in the victim's face and caused the victim to suffer and injury and bleeding.

In relation to this act the public prosecutor charged the defendant for violating 154 of the Penal Code on maltreatment of a spouse that carries a penalty of 2 - 6 years imprisonment.

The defendant testified that he did take a biscuit tin and throw it in the victim's face. However now they have reconciled and there has been no further problems. The defendant also promised not to reoffend in the future.

In his final recommendations the public prosecutor requested for the court to sentence the defendant to 2 year's imprisonment, to be suspended for 4 years.

The public defender requested for the court to hand down a lenient punishment against the defendant because the defendant admitted all of the facts alleged against him.

The court decided this case and ordered the defendant to pay a fine of US\$ 96, however if the defendant fails to comply then he will have to serve 80 days in prison.

## **9. Crime of rape, Case No. 96 /pen/2013/TDS.**

Composition of judges : Panel  
Judges : Costâncio B. Basmery, Pedro Raposo de Figueiredo and Hugo da Cruz Pui  
Public Prosecutor : Jacinto Babo Soares  
Public Defender : MarcalMascrenhas  
Conclusion : Sentenced to 6 years imprisonment and ordered to pay compensation of US\$ 1,000.

On 12 July 2013 the Suai District Court read out its decision in a case of rape allegedly committed by the defendants EJBS and DN against the victim CM. This case allegedly occurred on 03 November 2012 in Bobonaro District.

The public prosecutor alleged that on 03 November 2012 at approximately 3pm the defendant EJBS took the victim on his motorbike to have a look around the Utedai area.

On the way the defendant turned off the motorcycle and asked the victim to get off. After getting off the victim asked the defendant why they had stopped in that area and the defendant told the victim that he wanted to have sexual intercourse with the victim.

The victim testified to the court that when they were having sexual intercourse suddenly the defendant DN emerged and took their clothing and threatened to report their actions to the parents of the victim.

At that time, the defendant had recorded EJBS and the victim having sexual intercourse and threatened to put it on the internet and report it to the police.

The defendant DN took advantage of this situation and threatened the victim to have sexual intercourse and then he (DN) would erase the recording of the victim having sex with her boyfriend. Unfortunately, after DN had sex with the victim the defendant did not erase the recording, but he actually circulated the recording to people in Maliana.

In relation to these acts the public prosecutor charged the defendant EJBS for violating Article 178 of the Penal Code on sexual acts with an adolescent and Article 172 of the Penal Code on rape as well as Article 183 of the Penal Code on public exposure of private information.

In his final recommendations the public prosecutor requested for the court to sentence the defendant EJBS to 2 years imprisonment , but for the sentence to be



suspended, and to sentence the defendant DN to 9 years imprisonment and order him to pay compensation to the victim.

The public defender asked the court to hand down a lenient punishment against the defendant DN.

The court concluded this case and acquitted the defendant EJBS and sentenced the defendant DN to 6 years imprisonment and ordered him to pay compensation of US\$ 1,000 to the victim.

#### **10. Crime of aggravated theft, Case No. 121 /2013/TDS**

Composition of judges : Single

Judge : Florencia Freitas

Public Prosecutor : Felismino Garcia Cardoso

Public Defender : João Henrique de Carvalho

Conclusion : Ordered to pay compensation of \$ 400.

On 22 July 2013 the Suai District Court conducted a trial in a case involving ordinary theft involving the defendants JB, VAD, GT and AS against the victim BA. This case allegedly occurred on 10 August 2011 in Ainaro District.

The public prosecutor alleged that on 10 August 2011 at approximately 10am the defendants killed a bull belonging to the victim which had entered their yard and damaged their corn.

The victim told the court that that the defendants cut up and distributed the bull belonging to the victim and they did not give it back to the victim or pay any compensation.

In relation to the aforementioned acts the public prosecutor charged the defendants for violating Article 251 of the Penal Code on ordinary theft that carries a penalty of 3 years imprisonment or a fine.

In his final recommendations the public prosecutor requested for the court to order the defendants to pay a fine. The public defender agreed with the recommendation of the public prosecutor.

The court decided this case and ordered the defendants to pay compensation to the victim of US\$ 400.

#### **11. Crime of simple offences against physical integrity, characterized as Domestic Violence, Case No. 143/pen /2013/TDS**

Composition of judge : Single  
Judge : Pedro Raposo de Feiguireido  
Public Prosecutor : Felismino Garcia Cardoso  
Public Defender : João Henrique de Carvalho  
Conclusion : Sentenced to 6 months imprisonment, suspended for 1 year,  
and ordered to pay court costs of US\$ 10.

On 22 July 2013 the Suai District Court conducted a trial in a case of domestic violence involving the defendant NLSP and the victim LG (his wife). This case allegedly occurred on 10 March 2012 in Ainaro District.

The public prosecutor alleged that on 10 March 2012 at approximately 10am the defendant argued with the victim about some milk powder for their child.

The victim testified to the court that this case occurred because the defendant did not buy milk powder for their child. At that time, the victim requested the defendant to buy some, but the defendant became angry and hit the victim on her back and in the mouth.

These acts caused the victim to suffer injuries and bleeding from her nose and bruising and back pain.

The public prosecutor charged the defendant for violating Article 145 of the Penal Code on simple offences against physical integrity in conjunction with Article 35 (b) of the Law Against Domestic Violence.

In his final recommendations the public prosecutor requested for the court to sentence the defendant to a suspended prison sentence. The public defender agreed with this recommendation.

The court concluded this case and sentenced the defendant to 6 months imprisonment, suspended for 1 year and ordered him to pay court costs of US\$ 10.

## **12. Crime of simple offences against physical integrity – Case No. 29 /pen/2013/TDS.**

Composition of judges : Single  
Judge : Florencia Freitas  
Public Prosecutor : Felismino Garcia Cardoso  
Public Defender : João Henrique de Carvalho  
Conclusion : Acquitted

On 22 July 2013 the Suai District Court conducted a trial in a case involving simple offences against physical integrity involving the defendant AA against the victim FM. This case allegedly occurred on 30 November 2011 in Ainaro District.

The public prosecutor alleged that on 30 November 2011 at approximately 3am the defendant threw a rock and hit the victim in the mouth, causing the victim to fall to the ground.

The public prosecutor charged the defendant for violating Article 145 of the Penal Code regarding simple offences against physical integrity.

The defendant testified that after the incident they reconciled and have had no further problems and the defendant also regretted his actions.

In his final recommendations the public prosecutor requested for the court to acquit the defendant from this case. The public defender agreed to the recommendation of the public prosecutor.

Based on the final recommendations of the parties, the court decided to acquit the defendant from all charges.

### **13. Crime of rape, Case No. 114/pen/2013/TDS.**

Composition of judges	: Panel
Judges	: Costâncio B Basmery, Pedro Raposode Figueireido and Florencia Freitas.
Public Prosecutor	: Jacinto Babo Soares
Public Defender	: Marcal Mascrenhas
Conclusion	: Sentenced to 6 years imprisonment and ordered to pay compensation of \$ 1,000.

On 24 July 2013 the Suai District Court conducted a trial in a case of rape involving the defendant AN and the victim RR. This case allegedly occurred on 02 July 2007 in Ainaro District.

The public prosecutor alleged that on 02 July 2007 at 8am the defendant asked the victim's parents if he could take the victim to attend an English course in Osnaco.

However when they arrived in Osnaco the defendant took the victim into the bedroom and lay the victim on the bed and then had sexual intercourse with the

victim. These acts caused the victim to suffer bleeding and pain after the sexual intercourse.

Before the court the defendant testified that he did not have sexual intercourse with the victim and also testified that it was slander and false accusations were made against him.

In relation to the aforementioned acts the public prosecutor charged the defendant for violating Article 172 of the Penal Code on rape which carries a penalty of 5 - 15 years imprisonment.

In his final recommendations the public prosecutor requested for the court to sentence the defendant to 1 - 12 year's imprisonment.

The public defender requested for the court to acquit the defendant from all charges because the evidence was not given by the victim, because the victim has passed away.

Based on the aforementioned facts the court decided the matter and sentenced the defendant to 6 years imprisonment and ordered him to pay compensation of US\$ 1,000 to the victim.

**14. Crime of simple offences against physical integrity, Case No. 145/pen/2013/TDS.**

Composition of judges	: Single
Judges	: Costâncio B. Basmery
Public Prosecutor	: Benvinda da Costa Rosario
Public Defender	: João Henrique de Carvalho
Conclusion	: Acquitted

On 25 July 2013 the Suai District Court conducted a trial in a case involving simple offences against physical integrity involving the defendant DL and the victim FCR. This case allegedly occurred on 18 April 2013 in Ainaro District.

The public prosecutor alleged that on 18 April 2013 at approximately 2pm the defendant threw a rock at the victim's leg and caused the victim to suffer an injury.

In this case, the public prosecutor charged the defendant for violating Article 145 of the Penal Code regarding simple offences against physical integrity.

The defendant testified to the court that after the incident they reconciled and have had no further problems. The defendant also testified that he regretted his actions.

In his final recommendations the public prosecutor asked the court to acquit the defendant from the charges. The public defender agreed to the recommendation of the public prosecutor.

Based on these facts the court concluded this case and acquitted the defendant from all charges.

**15. Crime of simple offences against physical integrity, characterized as Domestic Violence, Case No. 87 /pen /2012/TDS**

Composition of judges : Single  
Judge : Florencia Freitas  
Public Prosecutor : Benvinda da Costa Rosario  
Public Defender : MarcalMascharenhas  
Conclusion : Ordered to pay a fine of US\$ 30 and pay court costs of US\$ 10.

On 25 July 2013 the Baucau District Court conducted a hearing in a case of ordinary offences against physical integrity characterized as domestic violence involving the defendant AS and his wife. This case allegedly occurred on 08 May 2012 in Manufahi.

The public prosecutor alleged that on 08 May 2012 at approximately 3pm the defendant hit the victim in the cheek and smashed the victim's phone.

The victim testified in court that this case allegedly occurred because the defendant asked for some vegetables to eat but the vegetables weren't ready yet and the defendant became angry and slapped the victim across the cheek causing bleeding and the victim's mouth was swollen.

For these acts, the public prosecutor charged the defendant for violating Article 145 of the Penal Code on simple offences against physical integrity in conjunction with Article 35 (b) of the Law Against Domestic Violence.

In his final recommendations the public prosecutor requested for the court to sentence the defendant to a fine. The public defender agreed with the recommendation of the public prosecutor.

The court concluded this case and ordered the defendant to pay a fine of US\$30 and court costs of US\$ 10.

**16. Crime of simple offences against physical integrity, characterized as Domestic Violence, Case No. 144 /pen /2013/TDS**

Composition of judges : Single  
Judge : Costâncio B. Basmery  
Public Prosecutor : Benvinda da Costa Rosario  
Public Defender : MarcalMascharenhas  
Conclusion : Sentenced to 6 months imprisonment, suspended for 1 year.

On 25 July 2013 the Suai District Court conducted a trial in a case of domestic violence involving the defendant DGX and his wife. This case allegedly occurred on 27 March 2013 in Ainaro.

The public prosecutor alleged that on 27 March 2013 at approximately 9am the defendant stomped on the victim's foot and hit the victim in the back.

The defendant testified before the court that this case allegedly occurred because the victim abused his parents and the defendant became angry and maltreated the victim.

The public prosecutor charged the defendant for violating Article 145 of the Penal Code on simple offences against physical integrity in conjunction with Article 35 (b) of the Law Against Domestic Violence.

In his final recommendations the public prosecutor requested for the court to sentence the defendant to 3 months imprisonment, to be suspended for 6 months. The public defender agreed with the recommendation of the public prosecutor.

The court concluded this case and sentenced the defendant to 6 months imprisonment, suspended for 1 year.

**17. Crime of aggravated theft, Case No. 97 /pen/2013/TDS.**

Composition of judges : Panel  
Judge : Florencia Freitas Pedro Raposo de Figueiredo and  
Costâncio B. Basmery  
Public Prosecutor : Benvinda da Costa Rosario  
Public Defender : João Henrique de Carvalho  
Conclusion : Sentenced to 2 years, 6 months' imprisonment, suspended for 3 years.

On 25 July 2013 the Suai District Court tried a case of aggravated theft involving the defendant JCT who allegedly committed the act against the State. This case allegedly occurred on 27 May 2007 in Same District.

The public prosecutor alleged that on 27 May 2007 at approximately 1am the defendant stole 70 liters of diesel from the Betano Power Plant.

For these actions, the public prosecutor charged the defendant for violating Article 252 of the Penal Code on aggravated theft which carries a penalty of 2 - 8 years imprisonment.

The defendant confirmed that he stole the diesel to support his family; however the defendant gave it back to the Village Chief to be returned to the Chief of the Betano Power Plant.

In his final recommendations the public prosecutor requested for the court to sentence the defendant to 4 year's imprisonment, to be suspended for 3 years.

The court concluded this case and sentenced the defendant to 2 months imprisonment, suspended for 3 years.

#### **18. Crime of Sexual Coercion, Case No. 59/pen/2013/TDS.**

Composition of judges	: Panel
Judge	: Pedro Raposo de Figueiredo, Costâncio B. Basmerly and Florencia Freitas
Public Prosecutor	: Felismino G. Cardoso
Public Defender	: João Henrique de Carvalho
Conclusion	: Sentenced to 2 years, 6 months' imprisonment, suspended for 3 years.

On 26 July 2013 the Suai District Court tried a case of sexual coercion involving the defendant AP and the victim NC.

This case allegedly occurred on 13 August 2012 in Ainaro District.

The public prosecutor alleged that on 13 August 2012 at approximately 3pm the defendant AP was going to get some water from the spring. At that time the defendant saw the victim bathing and he approached the victim and embraced her with force.

The victim testified before the court that the defendant held her tightly, but she bit his hand and saved herself and ran home.

After the incident, the victim told her parents and they reported it to the Ainaro police.

The public prosecutor charged the defendant for violating Article 171 of the Penal Code on sexual coercion that carries a penalty of 2 - 8 years imprisonment.

In his final recommendations the public prosecutor requested for the court to convict the defendant for committing the crime of which he was charged.

The public defender requested for the court to suspend the prison sentence because the defendant admitted the charges against him.

The court concluded this case and handed down a prison sentence of 2 years, 2 months, to be suspended for 4 years.

### **19. Crime of embezzlement, Case No. 159/pen/2013/TDS**

Composition of judges : Panel  
Judges : Florencia Freitas, Pedro Raposo de Figueiredono and Costâncio Barros Basmerly  
Public Prosecutor : Felismino G. Cardoso  
Public Defender : João Henrique de Carvalho  
Conclusion : Trial adjourned

On 19 July 2013 the Suai District Court adjourned the trial in a case of embezzlement involving 10 defendants.

The defendants JP, AC, CN, LC, JBC, JC, FC, JAM, JA and AS allegedly committed the crime against the victim LA, in Same District. This case allegedly occurred on 01 January 2013.

The trial was adjourned because the defendants did not respond to the summons from the Suai District Court, even though they had been legitimately summoned.

For this reason the court adjourned the trial until 23 October 2013.

### **20. Crime of simple offences against physical integrity – Case No. 196/ pen / 2012 /TDS**

Composition of judges : Single  
Judge : Florencia Freitas  
Public Prosecutor : Felismino G. Cardoso  
Public Defender : João Henrique de Carvalho  
Conclusion : Sentenced to 1 year, 6 months' imprisonment, suspended for 2 years and ordered to pay court costs of US\$ 10.



On 26 July 2013 the Suai District Court read out its decision in a case of simple offences against physical integrity involving the defendant VAQ and the victim AM. This case allegedly occurred on 17 August 2012 in Ainaro District.

The public prosecutor alleged that the defendant hit the victim twice on her side with a piece of steel. As a result of these actions the victim had to be treated at the Maubisse hospital for five days.

In relation to these acts, the public prosecutor charged the defendant for violating Article 145 of the Penal Code regarding simple offences against physical integrity.

Before the court, the defendant admitted all of the facts alleged against him. However the parties have since reconciled and there were no prior incidents and no incidents since.

In his final recommendations the public prosecutor requested for the court to sentence the defendant to 2 year's imprisonment, to be suspended for 3 years.

The public defender requested for the court to hand down a more lenient suspended prison sentence against the defendant.

The court decided this case and sentenced the defendant to 1 year 6 months imprisonment, suspended for 2 years and ordered him to pay court costs of US\$ 20.

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