



## HIGH COURT OF KIRIBATI

*Criminal Case N° 12/2017*

### **THE REPUBLIC**

**v**

### **ENATA TIEMRUTI**

*Tewia Tawiita, Senior State Attorney, for the Republic*  
*Reiati Temaua for the accused*

### **FILE NOTE**

- [1] The accused was charged with 4 counts of larceny as a servant, contrary to section 266(a)(i) of the *Penal Code* (Cap.67).
- [2] The information, filed on 20 January 2017, did not comply with section 70 of the *Criminal Procedure Code* (Cap.17). When the matter came on for trial this morning, counsel for the prosecution informed the Court that she was not ready to proceed, as she had been able to locate only 1 of her witnesses. It transpired that efforts to locate the witnesses only commenced last week, despite the fact that the trial date for this case was allocated over 6 months ago.
- [3] I refused the application for adjournment. The Office of the Attorney-General has, on numerous occasions, demonstrated its unwillingness to properly prepare matters for trial, despite having several months to do so. I will not reward slackness by granting applications for adjournment.
- [4] There being no valid information, this matter is struck out and the accused is discharged. I note that the accused did not appear in Court this morning. Fortunately for him there will be no warrant issued for his arrest.

[5] This file is to be closed.

Dated 27 May 2019.

  
**Lambourne J**  
Judge of the High Court

