



HIGH COURT OF KIRIBATI

Criminal Review No 4/2018

TIMOARA TABUKI

Petitioner

v

THE REPUBLIC

Respondent

Reiati Temaau for the petitioner

Teanneki Nemta for the respondent

FILE NOTE

- [1] On 5 July 2018 the petitioner pleaded guilty in the Nonouti Magistrates' Court to 3 charges under the *Penal Code* (Cap.67): being drunk and disorderly (contrary to section 167(d)); escaping from lawful custody (contrary to section 117); and damaging property (contrary to section 319(1)). He was sentenced to 12 months' imprisonment and ordered to pay a \$20 fine. By petition filed on 3 December 2018 the petitioner sought a review of his sentence under section 81 of the *Magistrates' Courts Ordinance* (Cap.52).
- [2] For reasons unclear, this matter was not called on until 22 March 2019, by which time the petitioner had served his sentence of imprisonment and been released. His present whereabouts are unknown. The Office of the People's Lawyer has put an announcement on the radio, asking him to make contact, without success.
- [3] In the circumstances counsel for the petitioner has asked to withdraw the petition.
- [4] The matter is struck out and this file is to be closed.

Dated 5 April 2019.


Lambourne J
Judge of the High Court

