

IN THE HIGH COURT OF KIRIBATI)
CIVIL JURISDICTION)
HELD AT BETIO)
REPUBLIC OF KIRIBATI)

High Court Civil Appeal 15 of 2000

BETWEEN: **BURENTAAKE KAIUEA** APPELLANT

AND: **TEEM TEEM** RESPONDENT

FOR THE APPELLANT: MS TAOING TAOABA
FOR THE RESPONDENT: MR NEIL ALLEN

DATES OF HEARING: 23 NOVEMBER 2001

J U D G M E N T
(EX TEMPORE)

There are two grounds of appeal. The first is that after judgment the Single Magistrate should have granted a stay of execution. She did not. As Mr Allen submitted, it now is too late to remedy that even if any remedy be required.

The second is a limitation point: that the cause of action arose in 1992. No question of limitation was raised in the court below and just when the cause of action arose is difficult to decide from the transcript. Ms Taoaba argues that it was in 1992: Mr Allen that it was later. I am not able to find the action out of time.

The second ground of appeal fails. The appeal is dismissed.

THE HON ROBIN MILLHOUSE QC
CHIEF JUSTICE