



HIGH COURT OF KIRIBATI

Criminal Case No 6/2013

THE REPUBLIC

v

TERATOKA BUATARA

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

FILE NOTE

- [1] By information dated 18 January 2013, the accused was charged with 1 count of incest by a man, contrary to section 156(1) of the *Penal Code*, and 1 count of indecent assault, contrary to section 133(1) of the *Penal Code*.
- [2] The matter originally came on for trial before Justice Zehurikize on 23 August 2016. He struck it out on the basis that the incest charge lacked the required sanction from the Attorney-General. An Attorney-General's appeal was upheld by the Court of Appeal on 16 August 2017¹ and the charges were remitted to this Court for trial.
- [3] Counsel for the Republic has today stated in court the Attorney-General's desire to enter a *nolle prosequi* under section 68(1) of the *Criminal Procedure Code*.
- [4] The accused is accordingly discharged.
- [5] This file is to be closed.

Dated 14 December 2018.


Lambourne J
Judge of the High Court



¹ *Republic v Teratoka Buatara* [2017] KICA 4