



HIGH COURT OF KIRIBATI

Criminal Case N° 29/2019

THE REPUBLIC

v

BIITA MARITINO

Teanneki Nemta for the Republic

Raweita Beniata for the accused

FILE NOTE

- [1] By information filed on 25 July 2019 the accused was charged with committing an act of gross indecency, contrary to section 155 of the *Penal Code*. On 20 September the charge was amended to one of procuring the commission of an act of gross indecency, contrary to the same section.
- [2] On 11 October counsel for the accused advised that his client would be pleading not guilty to the charge, and the matter was fixed as the second trial for the week commencing 20 January 2020.
- [3] On the first day of the trial, counsel for the prosecution sought an adjournment as the complainant was unwell. The matter was adjourned until today, to allow counsel an opportunity to review her position. This morning she informed the Court that she wished to enter a *nolle prosequi* on behalf of the Attorney-General under section 68(1) of the *Criminal Procedure Code*.

[4] As the Republic intends that these proceedings not continue, the accused is accordingly discharged. This file is to be closed.

Dated 24 January 2020.


Lambourne J
Judge of the High Court

