

**IN THE EFATE ISLAND COURT**  
**OF THE REPUBLIC OF VANUATU**  
*(Criminal Jurisdiction)*

**Criminal. Case No. 123 of 2010**

**PUBLIC PROSECUTOR VS JOHN NOEL AND FRED HENRY**

**ORDER**

**UPON** having satisfied that, the Prosecutor did informed of the time and place of the hearing, fail to appear before this Court;

**NOW THEREFORE**, the Court hereby dismisses the charge laid against the accused accordingly in pursuant to Rule 4 (1) of the Island Court Criminal Procedure Rules of 2005.

Right to appeal 14days

Dated at Port Vila, this 30th Day of November 2011

**BY THE COURT**

.....  
**Justice Ann Carlo [Chairman]**

.....  
**Justice Daniel Frank**

.....  
**Justice Francis Aru**

