

(Civil Jurisdiction)

Between: Estella Vava  
(Complainant)

And: Lui Selwyn  
(Defendant)

Matter: Refund of stolen cash in the sum 50,000 vatu plus Costs 1,000

Coram: Justice Keith Hopkins  
Justice Phillip Morres Tabe  
Justice Reuben Selwyn

Clerk: Fredington Aru

Date of hearing: 04<sup>th</sup> June 2013

### JUDGMENT

Kot hemi bin sit down long Litau village long Toga blong lukluk long case ia. Long claim blong complainant Estella Vava hemi talem se defendant Lui Selwyn hemi bin stilim 50,000 vatu long haos blong hem long Toga taem we hemi bin aot igo long Loh. Hemi stap claim blong defendan Lui Selwyn i refundem back money blong hem long amaon blong 50,000 vatu plus Kot fee 1,000 vatu. Total amaon blong claim blong hem hemi 51,000 vatu.

Tugeta patis ibin served mo appear before long Kot taem isitaon blong lukluk long case ia.

Issue we Kot ia bae i lukluk long hemi I tru or no se defendant Lui Selwyn hemi bin stillim money blong complainant. Sapose hemi tru, then issue we Kot bae hemi dil wetem hemi hamas money nao bae defendant imas givimbak igo long complainant olsem refund blong money we hemi bin stillim.

Long Kot defendant Lui Selwyn hemi admittim se yes itru hemi bin stillim money blong Estella Vava. Hemi talem se Estella Vava hemi wan mama blong hem mo hemi no bin askem blong tekem money ia. Hemi talem se hemi spendem money ia long kava mo cigarette.

Court hemi askem long defendan se wanem nao hemi ol rod blong winim money blong hem. Long respond, defendant hemi talem se hemi stap mekem copra; about four (4) to five (5) bags olsem per trip. Hemi talem tu se hemi planem kava, about thirty (30) to forty (40) heads.

Follem olgeta toktok antap, hemia olgeta findings blong Kot.

Kot hemi faenemaot se:

1. Defendant hemi bin stillim money blong complainant
2. Defendant hemi stap mekem kopra blong kasem money mo hemi planem smol kava long garen.

Wetem olgeta findings antap Kot hemi stap mekem ol odas olsem:

**Court Odas:**

Application blong complainant hemi granted.

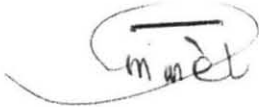
Kot istap odarem defendant blong:

1. Pem igo long complainant 50,000 vatu.
2. Pem 1,000 vatu cost blong tekem case ikam long Kot
3. Mekem payment inside long five (5) manis taem. Five (5) manis taem ia hemi end long 04<sup>th</sup> November 2013.
4. Sapose defendant hemi no follem ol odas ia bae hemi ko long prison blong 3 manis.
5. Any party we ino glad long decision ia blong mekem apil inside long 30 days stat tedei 04<sup>th</sup> June 2013.

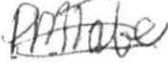


DATED AT TOGA THIS 04<sup>TH</sup> JUNE 2013

BY THE COURT



Justice Keith Hopkins



Justice Phillip Morris Tabu



Justice Ruben Selwyn