



**DILI DISTRICT COURT - WEEKLY SUMMARY**  
**09-13 JUNE 2003**

**MONDAY**  
**09 JUNE 2003**

<b>Criminal hearings listed</b>	-0-
<b>Hearing before investigative Judge</b>	- 0-
<b>Hearings on habeas corpus</b>	-0-
<b>Criminal hearings listed</b>	-3-

**Civil case hearings**

- 1. Civil case of Joaquim v Maria Elsa:** The case was brought to the court before Judge Edite Palmira dos Reis. The court was scheduled for the Plaintiff to present its application for the damages to the court. However the hearing was not able to proceed due to the failure of the Defendant to get a Defense Counsel. The court gives a-week time for the Defendant to get a Defense Counsel. The hearing was adjourned to 20 June 2003 at 0930 hours.
- 2. Civil case of Lorencu v Chief of Evangelical church:** The case was brought to the court before Judge Rui Pereira da Costa. The hearing was scheduled for the court to examine the documents and evidence submitted to the court by parties. After the cross checking on the evidence, the hearing was adjourned following the request of the Plaintiff's Defense Counsel that they were not ready to stand for the hearing. The hearing was adjourned until 16 June 2003 at 1430 hours.
- 3. Civil case 30/2003 of Bernave de Araujo v Joao Baptista Sarmiento Martins:** The case was listed before Judge Carmelita Caetano Monis. The case was scheduled for the court to hear the testimony of the Plaintiff's witnesses. The arose from a property dispute concerning house and a piece of land located in Comoro, which are currently occupied by the Defendant. Thus, the application for the damages was submitted to the court by the Plaintiff with the claim for the Defendant to pay a remedy during the period of the Defendant's occupation. After the witnesses were testified, the case was adjourned until 16 June 2003 at 1030 hours to continue.

### Hearings proceeded/postponed

Criminal hearings proceeded	-0-
Civil hearings proceeded	-2-
Criminal hearings postponed	-0-
Civil hearings postponed	-1-

### Reason of Postponements

Judge not available	-0-
Defense counsel not available	-1-
Prosecutor not available	-0-
Accused not available	-0-
Defendant/Plaintiff not available	-0-

<b>TUESDAY</b> <b>10 JUNE 2003</b>
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Criminal hearings listed	-1-
Hearings before investigative Judge	-1-
Hearings on habeas corpus	-0-
Civil hearings listed	-1-

### Criminal case hearings

- 05/2002 of Public Prosecutor v Antonio Luis:** The case was listed before Judge Edite Palmira dos Santos to hear the testimony of the prosecution witnesses. The accused person is charged with fraud under Article 378 of the Indonesian Penal Code. The offence alleged to have been committed in Dili on or around 13 March and also on 6 August 2002. The court heard the testimony of a witnesses. The session was adjourned until 11 July 2003 to continue.

### Hearings before investigative Judge

- Public Prosecutor v Armando Ximenes:** The two suspects were brought before Investigative Judge Sergio Paulo dias Quintas. Both suspects are alleged to have committed fraud under Article 378 of the Indonesian Penal code. The offence is said to have been committed on or around 4 December 2002 in Dili. A thirty-day detention was ordered by the court for the further police investigation.

### Civil case hearings

- Lim Kian Juan v Francisco Lay and others:** The case was brought to the court before Judge Edite Plamira dos Reis. The case was listed for the court

to hear the application for damages from the Plaintiff. The court made its decision to dismiss the case after it has had heard the written application from the Plaintiff. The court states that some other parties that were involved in the matter were not included in the application for the damages written by the Defense Counsel of the Plaintiff. The Plaintiff and his lawyer were asked to redraft its application. The session was closed. JSMP was unable to ascertain the next trial dates.

### Hearings proceeded/postponed

<b>Criminal hearings proceeded</b>	-1-
<b>Civil hearings proceeded</b>	-1-
<b>Criminal hearings postponed</b>	-0-
<b>Civil hearings postponed</b>	-0-

### Reason of Postponements

<b>Judge not available</b>	-0-
<b>Defense counsel not available</b>	-0-
<b>Prosecutor not available</b>	-0-
<b>Accused not available</b>	-0-
<b>Defendant/Plaintiff not available</b>	-0-

<p><b>WEDNESDAY</b> <b>11 JUNE 2003</b></p>
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<b>Criminal hearings listed</b>	-1-
<b>Hearing before investigative Judge</b>	-0-
<b>Hearing on habeas corpus</b>	-0-
<b>Civil hearings listed</b>	-2-

### Criminal case hearings

1. **Criminal case 12/2003 of Public Prosecutor v Carlos Agostinho Ramos:** The case was listed before Judge Aderito Tilman. The case was scheduled for the court to hear the testimony of the prosecution witness. The accused person is charged with negligence causing in death (car accident). The offence is alleged to have been committed on or around 04 February 2003 in Becora Dili. The accused is charged under Article 359 of the Indonesian Penal Code. The hearing was not able to proceed due to failure of the Public Prosecutor to appear in the court. The session was postponed until 23 June 2003 at 0930 hours. JSMP was unable to ascertain the reason for non-attendance.

### Civil case hearings

1. **Civil case of Fransisco Soares v Jiacinta:** The case was brought to the court before Judge Rui Pereira do Santos. The hearing was scheduled for the court to examine all the documents and evidence presented to the

court by both parties. The case arose from a property dispute concerning a land in Maliana District. The court was adjourned after it has had cross-checked the documents and evidence submitted by the parties. The hearing was adjourned until 30 June 1003 for the court and the parties to visit the location of the land in Maliana District. The session closed.

- 2. Civil case of Andre and others v Roza Vong:** The case was brought to the court before Judge Carmelita Caetano Monis. The case was scheduled for the court to cross-examine the evidence. However it was not able to proceed due to the Defendant's absence her lawyer to appear before the court. The court will issue an order for the Defense Counsel and his client to appear in the court. The session was adjourned until 19 June 2003 at 1430 hours. JSMP and the court were unable to ascertain the reason for non-attendance.

### Hearings proceeded/postponed

<b>Criminal hearings proceeded</b>	-0-
<b>Civil hearings proceeded</b>	-2-
<b>Criminal hearings postponed</b>	-1-
<b>Civil hearings postponed</b>	-0-

### Reason of Postponements

<b>Judge not available</b>	-0-
<b>Defense counsel not available</b>	-1-
<b>Prosecutor not available</b>	-1-
<b>Accused not available</b>	-0-
<b>Defendant/Plaintiff not available</b>	-1-

<b>THURSDAY</b> <b>12 JUNE 20003</b>
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<b>Criminal hearing listed</b>	-2-
<b>Hearings before investigative Judge</b>	-3-
<b>Hearings on habeas corpus</b>	-0-
<b>Civil hearings listed</b>	-0-

### Criminal case hearings

- 1. Criminal case 30/03 of Public Prosecutor v Afonco Francisco:** The case was listed before Judge Carmelita Catano Monis for the public prosecutor to read its indictments. The accused is charged with the attempted rape. The offence is alleged to have been committed on or around 18 March 2003 in Liquica District. The accused person is charged with attempted rape under Article 285 and 53(1) of the Indonesian Penal Code and with the subsidiary charge under Article 290(2) of the Indonesian Penal Code. The trial was adjourned until 27 June 2003 to hear the testimony of the prosecution witnesses. The accused is currently jailed in Becora prison since his initial arrest on 01 March 2003.

- 2. Criminal case 131/02 of Public Prosecutor v Domingos Ximenes vs (multiple accused person):** The case was listed before Judge Edite Palmira dos Reis. The case was scheduled for the court to deliver its final decision of the case. The accused persons (four accused person) are charged with theft, which was said to have been committed in Sagrado Coracao Clinic in Becara Dili. The accused persons admitted to the charge during the session. The accused persons are charged under Article 363 of the Indonesian Penal Code. All of the accused person were sentenced to eight-months period of imprisonment deducted the time already spent in the prison. The session is closed.

### Hearings before Investigative Judge

- 1. Public Prosecutor v Mario:** The suspect was brought to the court before Investigative Judge Fransisco Agustino Pinto. The suspect was alleged with maltreatment under Article 352 of the Indonesian Penal Code. The offence is alleged to have been committed in Dili on or around 5 June 2003. A conditional release was granted following the hearing. The suspect is obliged to report to the nearby police station twice a week.
- 2. Public Prosecutor v Mario da Costa aka Karlito:** The suspect was brought before the Investigative Judge Joao de Carvalho. The suspect is alleged to have committed maltreatment in different occasions in Dili. The suspect is alleged under Article 351(1) of the Indonesian Penal Code. A conational release was granted following the hearing. The suspect is obliged to report to nearby police station twice a week.
- 3. Public Prosecutor v Adrelino da Costa alias Anto:** The suspect was brought before Investigative Judge Joao de Carvalho. The suspect is alleged to have committed fraud under Article 378 of Indonesian Penal Code. The offence alleged to have been committed on or around 15 July 2002. A conditional release was granted following the hearing. The suspect is obliged to report to the nearby police twice a week.

### Hearings proceeded/postponed

<b>Criminal hearings proceeded</b>	-2-
<b>Civil hearings proceeded</b>	-0-
<b>Criminal hearings postponed</b>	-0-
<b>Civil hearings postponed</b>	-0-

### Reason of Postponements

<b>Judge not available</b>	-0-
<b>Defense counsel not available</b>	-0-
<b>Prosecutor not available</b>	-0-
<b>Accused not available</b>	-0-
<b>Defendant/Plaintiff not available</b>	-0-

**FRIDAY**  
**13 JUNE 2003**

<b>Criminal hearings listed</b>	-1-
<b>Hearing before Investigative Judge</b>	-1-
<b>Hearings on habeas corpus</b>	-0-
<b>Civil hearings listed</b>	-2-

### **Criminal case hearings**

- 1. 10/2003 of Public Prosecutor v Alberto Soares:** The case was listed before Judge Edite Palmira dos Reis to hear the testimony of the witnesses on the part of the public prosecutor. The accused was charged with theft under Article 363 of the Indonesian Penal Code. The offence alleged to have been committed in Dili. The trial was adjourned until 18 June 2003 to hear the testimony of the other witnesses.

### **Hearing before Investigative Judge**

- 1. Public Prosecutor v Mateus Madeira:** The suspect was brought before Investigative Judge Sergio Paulo dias Quintas. The suspect is alleged to have committed maltreatment under Article 351(1) jo Article 285 of Indonesian Penal Code. The offence alleged to have committed on or around 8 June 2003 in Ermera District. A Thirty-day detention was ordered for the police to conduct further investigation.

### **Civil case hearings**

- 1. Civil case of Filmera Remezia Goncalves v Fernandino:** The case was brought to the court before Judge Carmelita Caetano Monis. The hearing was scheduled for the court to hear the written application for damages from the Plaintiff. The case arose from a property dispute concerning a building and piece of land located in Comoro, which is currently occupied by the defendant. In the application, the Plaintiff claimed for remedy of USD 4000.00. The court was adjourned until 24 June 2003 at 1000 hours for the Defendant to respond to the application of the Plaintiff.
- 2. Civil case of ENSUL v SAPT:** The case was brought to the court before Judge Aderito Tilman in assistance of two other Judges. The case scheduled for the court to hear the testimony of the witnesses. The case arose from a lease made between the parties, in which the Plaintiff in this case claimed to have been deceived by the Defendant. The hearing was adjourned until 16 June 2003 at 1400 hours to hear the testimony of other witnesses.

### **Hearings proceeded/postponed**

<b>Criminal hearings proceeded</b>	-2-
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<b>Civil hearings proceeded</b>	-2-
<b>Criminal hearings postponed</b>	-0-
<b>Civil hearings postponed</b>	-0-

**Reason of Postponements**

<b>Judge not available</b>	-0-
<b>Defense counsel not available</b>	-0-
<b>Prosecutor not available</b>	-0-
<b>Accused not available</b>	-0-
<b>Defendant/Plaintiff not available</b>	-0-