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**IN THE SUPREME COURT OF TONGA
CRIMINAL JURISDICTION
NUKU'ALOFA REGISTRY**

CROWN
CLOSED

CR 113 of 2010

R E X

V

SIONE FINE LEI'ATAUA

BEFORE THE HON. JUSTICE SHUSTER

Defendant appears for sentence with his co-accused on file CR114/2010. Please see comments on file CR114/10 regarding mitigation.

HAVING CONSIDERED all the facts this defendant took the Law into his own hands when he assisted his co-accused to obtain access to a firearm and enable him to return and participate in a drive-by shooting but he did not pull the trigger.

IT IS ORDERED THAT:

1. Count 1 – He is sentenced to 3 years in prison – but having heard mitigation I have decided to suspend that sentence in whole.

Conditional upon him enrolling in the Salvation Army Drugs and Alcohol awareness programme. Keeping the peace for the next 3 years and not offending and completing 120 hours of community service work by cleaning up the beach from the New Zealand High Commissioner's residence to the Dateline.

Court 3 – He is Fined \$500 which is due today He is unable to pay to pay at \$100 per week – first payment on 26 November 2010 before 1200 noon in default of payment 6 months in prison.

2. In addition he is not to be in possession of any arm or ammunition for the rest of his life without permission of this Supreme Court order.
3. The effects of prior paying his fine doing his community service work or attending the Salvation Army courses was explained to him. He says he understood.
4. Firearms are forfeit to the Crown.

DATED: 19 November 2010

