



**THE SUPREME COURT OF APPEAL
REPUBLIC OF SOUTH AFRICA**

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

26 November 2009

STATUS: Immediate

Donelle Gabriel and the State (073/2009) [2009] ZASCA 145 (26 November 2009)

Please note that the media summary is intended for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal

The Supreme Court of Appeal today dismissed an appeal against a conviction by the regional magistrate at Atlantis on a count of culpable homicide arising from a motor vehicle collision. The appellant was sentenced to two years' imprisonment. Both the conviction and sentence were confirmed on appeal to the Cape of Good Hope Provincial Division. On a further appeal to the Supreme Court of Appeal the conviction was confirmed but the sentence of two years' imprisonment reduced and a R 6000 fine (alternatively 6 months' imprisonment) coupled with a suspended sentence of one year's imprisonment imposed.