

SOUTH AFRICA / JUDGMENT

Hansmann (CCT 3/01), Ex parte [2001] ZACC 13; 2001 (2) SA 852 (CC); 2001 (4) BCLR 311 (22 February 2001) [2001] ZACC 13

COURT

Constitutional Court

BEFORE

Chaskalson, Ackermann, Goldstone, Kriegler,
Madala, Mokgoro, Ngcobo, Sachs, Yacoob,
Madlanga, Somyalo

CASE / FILE NUMBER

CCT 3/01

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CONSTITUTIONAL COURT OF SOUTH AFRICA Case CCT 3/01EX PARTE CARL HANSMANN

Decided on : 22 February 2001

JUDGMENT

THE COURT:[1] Mr Carl Hansmann (the applicant) seeks the special leave of this Court to appeal against his conviction for dealing in cannabis. It appears from the application that the trial took place in the Graskop Magistrate's Court in December 1998. The applicant was sentenced to imprisonment for five years, of which two years were conditionally suspended. An appeal to the Transvaal High Court was dismissed on 20 March 2000.[2] In his application, the applicant states that he "has no set address or contact number". He provides only the address of his father. Upon inquiry by the Director of this Court it has emerged that since the dismissal of his appeal he has been a fugitive from justice. His bail was estreated by the Magistrate on 14 April 2000 and a warrant for his arrest was issued. The police have been unable to trace his whereabouts.[3] Not only is the appellant a fugitive from justice but he has withheld that fact from this Court. In these circumstances it would not be appropriate to consider his application and we accordingly decline to do so. Chaskalson P, Ackermann J, Goldstone J, Kriegler J, Madala J, Mokgoro J, Ngcobo J, Sachs J, Yacoob J, Madlanga AJ and Somyalo AJ.

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Prepared on 13 October 2026 · Esheria