

# Media Statement



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**TO: ALL MEDIA**

**DATE: 27 AUGUST 2009**

**RE: MTHATHA ADVOCATE'S KILLERS CONVICTED**

Two young men aged 19 years were on Wednesday 26 August 2009 convicted by judge Zamani Nhlangulela after pleading guilty in the Mthatha High Court in the Eastern Cape.

Thulani Nomakonyana , residing at Mbuqe extension and his co-accused Melikhaya Peyana , residing in Ngangelizwe township in Mthatha in the Eastern Cape were convicted of murder, robbery with aggravating circumstances and housebreaking with intent to rob Advocate Mzekeliso Elliot Sivuku. Advocate Sivuku was a member of the Mthatha Bar practising as an advocate in the area when he was killed.

According to evidence presented in court, on the night of 17 January 2009, the accused had been drinking at a shebeen in Ngangelizwe township which is 2km from Mbuqe extension where the deceased and accused No.1 stayed. When they realised that they were running out of cash for more liquor, accused No.1 suggested that they go and rob the deceased who was staying alone in his house. They left the shebeen and proceeded to deceased's house.

On arrival they found the deceased asleep alone in his house and entered through the roof and started stabbing him several times and took an amount of R200 and his red citi golf car and went away. He died at the scene as a result of the injuries he sustained during the robbery. The accused were arrested the following day 18 January 2009 while driving in deceased stolen vehicle.

The case was finalised within a period of 7 months of the commission of the offence through tireless efforts of the investigation team of the South African Police Service who wasted no time in tracking down the two young men.

They had been in custody since their arrest as they were denied bail in the Mthatha district court after the prosecution convincingly argued for the refusal of bail in view of the gruesome nature in which the deceased was killed. The case has been postponed to 21 September 2009 for pre-sentence reports and sentencing.

Advocate Ntombizine Nkume appeared on behalf of the state while Adv Ndunyana represented the two accused.

The National Prosecuting Authority is pleased with the judgement and believes that the decision by the accused to plead guilty was prompted by overwhelming evidence in possession of the prosecution and the conviction is an indication that the NPA is committed to ensuring that justice is not only done but manifestly seen to be done.

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