

Supreme Court of Kosovo
Ap.-Kž. No. 188/2008
11 August 2009
Prishtinë/Priština

The Supreme Court of Kosovo, in a panel composed of EULEX Judge Norbert Koster as Presiding Judge, EULEX Judge Emilio Gatti and Supreme Court Judge Zait Xhemajli as members of the panel,

in the criminal case against:

1. Kadri Sylejmani, Kosovo Albanian, DOB 27/07/1981, born in Obilic/q, residing in Obilic/q, Hasan Pristina street no. 2, father's name Tahir, mother's name Sabrije, worker, of average economic status, not married,

2. Mirsad Kurteshi, Kosovo Albanian, DOB 01/07/1975, born in Obilic/q, residing in Obilic/q, Vjeter street no. 6, father's name Jusuf, mother's name Sheride, worker, of average economic status, married with one child,

for the criminal offences of Participating in a group that commits a criminal act as per Article 200 (1) of the Kosovo Criminal Law (KCL) as read with Article 22 of the Criminal Code of the Socialist Federal Republic of Yugoslavia (CCSFRY), Serious criminal acts against public security as per Article 164 (1) as read with Article 157 (1, 3) of the KCL and Article 22 of the CCSFRY, Inciting to national, racial, religious or ethnic hatred as per Section 1 Paragraph 1.1 and 1.2 of UNMIK Regulation 200/4 as read with Article 22 of the CCSFRY,

deciding upon the appeal of Defence Counsel Ahmet Ahmeti, filed on 25 March 2008 in favor of the defendant Kadri Sylejmani against the verdict of the District Court of Prishtinë/Priština, dated 8 November 2007 (P. No. 641/2006),

in the session held on 11 August 2009 in the presence of defendant Kadri Sylejmani, Defence Counsel Ahmet Ahmeti, EULEX Prosecutor Annette Milk and Public Prosecutor Vesel Jashari,


Pursuant to Article 422 of the Kosovo Code of Criminal Procedure (KCCP) issues the following:

RULING

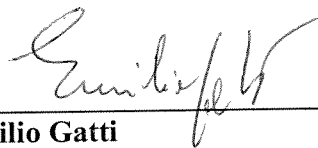
The appeal of Defence Counsel Ahmet Ahmeti, filed in favour of defendant Kadri Sylejmani, is **DISMISSED** as not permitted after the defendant has withdrawn the appeal.

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Members of the panel:

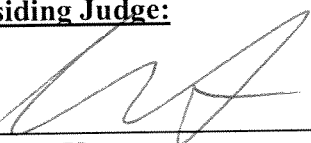


Zait Xhemajli
Supreme Court Judge



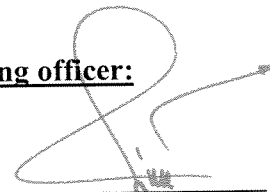
Emilio Gatti
EULEX Judge

Presiding Judge:



Norbert Koster
EULEX Judge

Recording officer:



Mircea Cristian Nicoara
EULEX Legal Officer