

JANUARY 1983

Ruling no.: 43

PUBLIC PROSECUTOR

vs.

OMAR MOUISSAOUI [Sic]

TRIBUNAL
DE GRANDE INSTANCE DE NARBONNE (AUDE)

In the open hearing of the Tribunal de Grande
Instance of the Narbonne district, ruling on corrections.

TYPE OF CRIME
Family desertion

held on JANUARY SEVENTH
nineteen hundred EIGHTY-THREE
the following ruling was handed down

BETWEEN:

SENTENCE The Procureur de la République [District Attorney], PLAINTIFF, after
service by Mr. Lalanne, Esq., Bailiff in

Imprisonment Narbonne
Objection receivable on December 24, 1982
5 months S.M.E. 3 years
obligation to pay Ms. Aïcha El Wafi
the alimony 1, rue des Flandres, Narbonne
FF 500 of D.I. criminal case plaintiff

party of the first part:

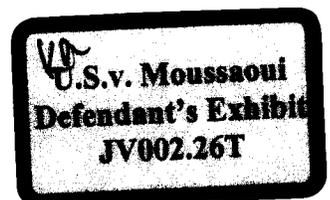
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and:

Omar Mouissaoui [Sic], born in 1937 in Arfoud, Morocco, parents unspecified, residing at
17, rue Gustave Fabre, Narbonne, a Moroccan national,
divorced, 4 children, a tiler

PREVIOUSLY CONVICTED
IN APPEAL OF THE RULING DATED NOVEMBER 5, 1982
APPEARING, represented by Mr. Pech de Laclause, Esq., LOCC, Mr. Saumade, Esq.,
Attorney at law in Narbonne C.O.

BOTH SIDES HEARD



When the case was called, His Honor, the Presiding Judge, noted the identity of the accused and stated the nature of the Court's jurisdiction.

Then, the accused was interrogated and the witnesses heard, the Secretary-Clerk keeping a record of the main statements.

In this hearing, Ms. El Wafi stated that she was appearing as a plaintiff in a criminal case and the Court recognized her.

Mr., Esq. / argued for the plaintiff.

Mr., Esq. argued for the plaintiff.

The Public Prosecutor's case was heard

The accused presented his defense.

Represented by Mr. Pech de Laclause, Esq. LOCC, Mr. Saumade, Esq., court-appointed.

Then, the Court took official note of the Public Prosecutor's address to the Court, the attorney's pleas, of the defendant's statement, who spoke last, and then declared the hearing closed.

The Presiding Judge informed the parties present that the ruling would be issued in the hearing on January 7, 1983.

THE COURT then

Whereas there was a ruling against the defaulting plaintiff on November 5, 1982, the Court sentenced Omar Mouissaoui to three months of imprisonment and FF 500 in damages to the plaintiff for having been charged, in Narbonne, during 1979, 1980 and 1981, in any case, no longer within the required time, in the overturning of a ruling handed down by the Mulhouse Tribunal de Grande Instance on 1 / 21 / 1975, which sentenced him to pay a monthly alimony of FF 1,000 to Ms. Aïcha, the total sum of which has remained voluntarily unpaid for a period of more than two months.

Action set forth in and punishable pursuant to Article 357-2 of the Criminal Code.

Whereas Omar Mouissaoui has, on November 8, 1982, objected to the above-mentioned ruling and was summoned to this hearing by service by Mr. Lalanne, Bailiff in Narbonne, on December 24, 1982.

Whereas the objection is receivable as to form.

Whereas in substance, it is based on documents of the case and the arguments that the crimes with which the defendant has been accused are well-founded; that there are, however, in this case, extenuating circumstances.

Whereas Ms. Aïcha El Wafi stated that she was appearing as a plaintiff in a criminal case and sued for the sum of FIVE HUNDRED Francs in damages.

Whereas her suit is receivable in its form and has grounds for its amount

ON THESE GROUNDS

Ruling in open court after hearing both sides and in first appeal.

The Court admits Aïcha Moussaoui's legal objection in its form;

Annuls the ruling dated November 5, 1982 and issuing a new ruling;

Declares him guilty of the crimes of which he has been accused;

Sentences him to a term of three months of imprisonment, rule that this sentence shall be suspended, pursuant to the provisions of Article 738 of the Criminal Procedure Code and sentences him to three years of probation.

In view of Article R.58-4° of the Criminal Procedure Code, orders Moussaoui to make regular alimony payments.

Admits Ms. El Wafi as the plaintiff in a criminal case.

Sentences Moussaoui to pay the plaintiff the sum of FIVE HUNDRED Francs in damages.

Further sentences *the* accused [Blank] to pay costs, established at 250.20 francs

including the amount [Blank]
for the cost of stamps and the Secretariat /Clerk

XXXXXXXX
which shall be exclusively borne by him.

Sets the prison term at the minimum.

All the above, pursuant to Articles
357/2 of the Criminal Code

463 of the Criminal Code,
473, 749, 750 of the Criminal Procedure Code

COSTS BREAKDOWN

[ILLEGIBLE]

In witness whereof, the present ruling was signed by the Presiding Judge and the Secretary-Clerk on the above-mentioned day, month and year

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Thus ruled during the hearing before the Narbonne Tribunal de Grande Instance (Aude)

on JANUARY SEVENTH, NINETEEN HUNDRED EIGHTY-THREE
by Mr. Paloque, Presiding Judge, Mr. Bestagno and Ms. Olive, Judges.

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in the presence of Mr. Ricard, Assistant Public Prosecutor
Public Prosecutor and Mr. Vincent, court-appointed F.F. of the Secretary
/Clerk

Narbonne, 3 / 27 / 2002

AUTHENTIC COPY

[Signature]

[Signature]

Certified true copy

The Chief Clerk of the Court

[Signature]

[Ink stamp]